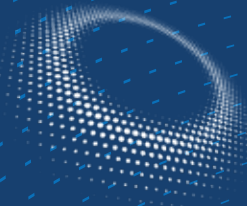


The Judicial Innovation Fellowship: A Review of the Pilot and Path Forward



GEORGETOWN LAW



INSTITUTE FOR
**TECHNOLOGY
LAW & POLICY**

GEORGETOWN LAW

The Judicial Innovation Fellowship: A Review of the Pilot and Path Forward

By Jason Tashea & Tanina Rostain

Introduction	3
Background	4
Impact	7
What We Learned	10
What's Next?	14
Conclusion	14

Introduction

Two and a half years ago, the Judicial Innovation Fellowship (JIF) Program at Georgetown Law set out to build a new type of program: one that would help courts better support their patrons by embedding technologists and designers within specific courts, as JIF-sponsored and -managed fellows.

To determine whether this program should become an ongoing facet of the court modernization landscape, we set out to answer three questions:

1. Would courts want to participate in a program like this?
2. Would technologists and designers want to work in courts?
3. If we brought courts and technologists together, would anything good happen?

Now, at the end of the program's inaugural class, we can report that the answer to each of these questions is unequivocally "yes." The JIF fellows were able not only to deliver on their technical and design projects, but also to demonstrate the value of their technical and design skills in the day-to-day work of the courts. In doing so, they helped courts change how they operate, as well as seed systemic change.

Among other accomplishments, our three fellows redesigned court forms that were then approved for official use; improved usability of data systems to decrease input errors; and inspired a court to develop a tool in house, instead of relying on a subpar, out-of-house vendor. In one instance, proving the long-term and unique value of talent not usually hired by courts, one court offered to create a new position to retain their JIF fellow. And in all three courts, our fellows voluntarily offered to provide support to their courts after the end of the fellowship.

This document is a coda to the [Judicial Innovation Fellowship Roadmap](#), which laid out our intentions and our core assumptions. This document has three goals:

1. Identify the JIF Program's impacts.
2. Document what was learned through this program.
3. Identify opportunities to build on this work and support an ecosystem of court reform.

We are grateful to everyone that helped make this pilot possible, including our court partners, the JIF fellows, our advisory committee, our phenomenal volunteers, Ashwin Ramaswami, our colleagues at Georgetown Law, and our funders, including the New Venture Fund, Schmidt Futures, the Ford Foundation, the Pew Charitable Trusts, the Fritz Family Foundation, the State Justice Institute, and the Utah Bar Foundation.

Background

What Is JIF?

The Judicial Innovation Fellowship is an access-to-justice (ATJ) technology fellowship program that places technologists and designers in state, local, tribal, and territorial courts. The JIF fellows are technical and design professionals who spend 11 months working locally with a court focused on improving court administration and usability to the benefit of the public. Specifically, the JIF fellows focus on helping courts modernize the technical infrastructure, process, and design of public-facing websites and tools that are built for people who cannot afford an attorney. The JIF program was piloted at the Justice Lab, a part of the Institute for Technology Law and Policy at Georgetown Law.

The Challenge

In our roadmap, we identified several key systemwide barriers that were preventing courts from modernizing their technology systems. A basic challenge was that courts did not have the budget or staff to engage in developing or adopting user-focused technologies and design practices that have become standard in commercial and other government spaces. Equally important, courts generally lacked a culture of experimentation, and had few incentives to innovate. Exacerbating these two problems are court technology vendors. The court technology market is dominated by a few players, whose business models depend on taking advantage of courts' lack of sophistication and outdated procurement models. The lack of competition in the court technology sector results in expensive and poorly designed tools that fail to address the needs of 21st-century court users.

How Was JIF Built?

Built from scratch, the program started with a six-month deep dive into how other fellowship programs, such as the Presidential Innovation Fellowship and TechCongress, are operated. More than 100 interviews, combined with desk research, revealed that thorough vetting of projects, local stakeholders, and fellows was the key ingredient for a successful fellowship program. To that end, we developed internal review processes to ensure that our court partners and their projects would fit JIF's goals. Similarly, we built a structured interview and review process to ensure we had technically proficient candidates with the soft skills to succeed in this program.

How Did JIF Recruit and Select the Court Partners?

Ideal court partners are dynamic, focused on public need, and open to change. We identified several key criteria that court partners had to meet: They had to propose projects that would improve access to justice. Projects also had to be sustainable: we wanted the courts to articulate how they would continue to pursue the project after the fellowship was over. Projects also had to be scalable: one-off projects, which would not produce solutions that might work for other courts, were to be avoided. In addition, the project proposed had to be properly scoped, and able to be completed in less than one year.

We also focused on court culture. The courts we selected had to be committed to innovation in their technology practices. They also had to demonstrate that the culture in their offices would support the fellows and their work; it was not enough to give a fellow an office. We asked potential court partners to identify champions and supporters within the organization. We wanted to prove the case for the JIF model: If we put the right fellows in the right courts, those courts would leverage the opportunity and continue to pursue the innovation after JIF's engagement.

Background

To surface court applicants, JIF issued a national call for proposals from state, local, tribal, and territorial courts. We promoted this call through national partners in court modernization and civic technology communities. We also hosted a webinar for interested candidates. Ultimately, we received 18 applications from 14 courts from every region of the country. We triaged out proposals that did not fall in one of our five proposed subject matter areas: scheduling, cybersecurity, user design, data infrastructure, and whitelabeling. We were left with 12 projects, which we followed up with screener calls and desk research. The applications were also shared with expert reviewers in the justice and civic technology sectors.

This process helped us answer eight questions for each project:

- Does this project focus on a common problem across courts?
- Does this project propose a solution that is scalable and/or replicable?
- Does this project improve access to justice?
- Is this project manageable for one fellow?
- Can the partner sustain the project after the fellowship?
- Does this project build the case for the Judicial Innovation Fellowship?
- Does the court have an articulated DEI policy?
- Does the court play well with others?

A prospective JIF court partner needed to be able to answer every one of these questions in the affirmative. Any time our process indicated a project answered one of these categories in the negative, the project was pulled from the pool. This left us with a semifinal round of five applicants.

During this stage, we focused on co-developing a statement of work with each applicant, which would allow us to determine how deeply court partners were willing to engage and cooperate with us. This process proved highly informative: We were able to get into the finer points of the work, identify the local stakeholders who would support the work, and enumerate the specific outputs the fellow would be responsible for. In some cases, courts were unable to provide evidence of a broad, collaborative coalition. This told us that court support of

the proposed project likely did not extend beyond the specific office applying. In another case, the proposed project was too light to necessitate a year's work. When we tried to work with the court on building out the scope of the project, the court presented project ideas unrelated to the core proposal. This suggested that the court was less interested in engaging with the fellowship program and more interested in getting a free full-time technical expert for a year. This co-development process gave us a solid understanding of what it would be like to work with potential partners and ultimately made our final decisions easy.

For the pilot year, the JIF program worked with three courts on a co-developed statement of work, for one JIF fellow to be placed in each:

- **Utah State Courts:** The Utah State Courts Self-Help Center wanted to develop internal processes and guidelines to help improve the usability and testing of tools and content offered to assist self-represented litigants (SRLs). The JIF fellow would assess existing court-created user interfaces, public-facing content, and internal processes, then develop guidelines that staff could use to better assist the public. ([Statement of work](#))
- **Kansas State Courts:** The Kansas Office of Judicial Administration (OJA) wanted to design an electronic filing portal to meet the needs of SRLs. The JIF fellow would research, design, and prototype different possible solutions to inform a proposal, and draft requirements for OJA to use. ([Statement of work](#))
- **Hamilton County, Tennessee General Sessions Court:** The Hamilton County General Sessions Court and the county government wanted to assess what data their courts had, where the data lived, what format the data was in, and how the data was being collected and shared. The JIF fellow would audit and improve how courts and information technology departments shared data, with a focus on understanding court patron experiences across government services, the criminal justice system, and court debt obligations, in an effort to break cycles of debt, homelessness, and criminal recidivism. ([Statement of work](#))

Background

How Did JIF Recruit and Select the JIF fellows?

In fellowship candidates, we wanted to identify technologists and designers whose skillsets were appropriate for the projects we had chosen. The fellows also needed to be self-motivated and eager to take on the challenge of working in a different environment, in which they would have to personally make the case for the value of their work. We wanted to be sure that they saw the importance of their work and could, through both technical and communication skills, persuade any skeptics inside court organizations. In short, fellows needed to be excited about the challenges of trying to effect change on an organizational level and evangelists for the value of adopting new tools and practices. It was also important, given the demographics of people who use courts, that we identify a diverse set of candidates along a variety of metrics.

To accomplish this, we started by leveraging civic technology, justice reform, and tech affinity networks to get the word out. We also used press coverage and podcast appearances to promote the opportunity. We hosted a webinar for interested candidates, which 190 people attended. Ultimately, we received 46 applications. Sixty-nine percent of the applicant pool identified as Black, Indigenous, or People of Color, and 58% identified as female or non-binary. After an initial triage, which removed people with barriers to employment such as not having legal status to work in the U.S., we were left with 37 applicants.

These 37 applications, which included a cover letter, CV, and short statement about why they want to work in the courts, were randomly shared with our pool of reviewers, including experts in technology, design, and courts. Each applicant was reviewed by at least three people. The reviewer was asked to assess the applicant for the following five factors, which became the rubric used throughout the vetting process.

- Motivation for public service
- Organizational acumen
- Communication skills
- Comfort with uncertainty
- Technical expertise

Successful fellows needed to be positively reviewed in all five categories to make it to the final round. At the point it became clear that an applicant was deficient in one or more of these categories, they were removed from the running.

Of the 37 reviewed, 20 applicants moved on to screener interviews. The screener interview was a 30-minute call focused on adaptability (i.e., comfort with uncertainty and organizational acumen), self-motivation (i.e., motivation for public service and comfort with uncertainty), and emotional intelligence (i.e., communication, organizational acumen, and comfort with uncertainty). Half of the screened applicants (10 candidates) moved forward to the substantive interview round. This round included a take-home assignment related to the placement they were applying for. We designed two take-home assignments, one for the [design candidates](#) and one for the [technical candidates](#), and limited each candidate to three hours on the assignment. The substantive interview round also involved an hour-long interview with two to three interviewers. We advanced six candidates to the final stage, in which each court partner was given two to four finalists to speak with. The final selection of each JIF fellow was made by the court partners.

The JIF fellows in Kansas and Utah moved to the partner's location and worked out of their courts. In the case of Hamilton County, the fellow had a hybrid placement, spending a week at a time at her host site.

JIF fellows, alongside court partners, were welcomed into the program for a training at Georgetown Law in September 2023 and offboarded in August 2024. In that short amount of time, the fellows were able to demonstrate real value and create lasting impact.

Impact

JIF fellows were able to deliver both technical and culture wins during their tenure. Each fellow was able to progress their court's technical project and by doing so helped shift the culture of their court toward a more modern approach to project management and technology development. Each project had a statement of work that was co-developed between JIF staff and court stakeholders. In addition to delivering project outputs, one of the program's goals was to identify opportunities to promote culture change within the courts, making them more dynamic and responsive to public need, while becoming more efficient as institutions.

Technical Wins

All three fellows delivered on their statements of work. Doing so, each fellow helped complete a link in a longer chain of work being undertaken by their partner court.

In Utah, JIF fellow Verence Ramirez monitored court proceedings, met with court and legal-aid professionals, and interacted with SRLs around the state. This led first to the development of user personas, user testing protocols, and a user experience wiki for the Utah Courts Self-Help Center to guide their in-house content and technology creation processes. Ms. Ramirez also developed a simplified user journey for SRLs seeking a divorce through the court's MyCase platform; the journey launched as a guided interview. She also designed standardized buttons that were adopted globally across the Self-Help Center's online properties, creating the Center's first consistent button hierarchy. She also redesigned the Certificate of Service form with the help of community user feedback. The redesigned form was adopted by the court. This and her other excellent work was captured in Ms. Ramirez's [final report](#).

In Kansas, JIF's other design project, JIF fellow Emily Lippolis traveled around the state meeting court officials and the public to learn about the state of eFile in Kansas.

This led to the development of two user personas that aided her designs. Her field work was complemented by desk research that informed a [final report](#). This work came together to develop a prototype of an eFile system for small claims court.

In Hamilton County, Tennessee, JIF fellow Kat Albrecht audited the court's data processes and infrastructure; kicked off the creation of first-of-its-kind software documentation of the county's criminal justice data system, known as CJUS; and, after identifying dead functionality and usability shortcomings of the CJUS interface, brought in the [U.S. Digital Response](#) to complete a design refresh to improve functionality and decrease input errors. To help the court build on her work after the end of the fellowship, her research culminated in a [final report](#) outlining short and long term solutions, many of which are already underway, including developing and formalizing an error-resolution process. This work is also commemorated in a forthcoming law review article.

Cultural Wins

The fellows' technical work proceeded hand-in-hand with cultural changes in the court. An operating theory of JIF is that if you provide a new type of skilled worker in the courts, then courts have the opportunity to see their function through new eyes, gaining perspective on the problems they face and their potential solutions. However, we knew this would only be possible with open and receptive court partners, which JIF was fortunate to find in each location.

In Utah, Ms. Ramirez's work, especially in capturing and sharing court patron experiences, helped court staff better understand and empathize with the needs of the public. It also helped staff understand where their existing offerings may have been falling short. "We have changed the way many administrators in the court system think about who we serve, how we serve them,

Impact

and what assumptions we make about them,” reported Nathanael Player, director of the Utah Courts’ Self-Help Center. Player emphasized that Ramirez’s work brought user data to the front of court administrator’s minds, especially by developing and making available archetypes of typical users. He said that because of Ms. Ramirez’s work, they will continue to deploy user testing and usability reviews going forward.

As other people in the court got wind of the fellow’s work, her impact quickly transcended the Self-Help Center. She was asked to present her research to court staff around the state. This led to requests for her expertise across court functions, beyond the Self-Help Center where she was assigned. During the fellowship, she hosted weekly office hours to provide limited-scope feedback to other departments in the court.

Bringing the perspective of users to the court’s attention also supports systemic changes. Specifically, there was a push to update [Utah Civil Procedure Rule 10](#), which governs what civil court forms look like. Ms. Ramirez’s usability studies and recommendations informed the proposed rule change, which was approved by the Forms Committee a month after the fellowship concluded. The recommendations have more hurdles to clear before final adoption; however, this process shows the potential for scalability of JIF projects.

Ms. Ramirez also spent significant time improving the Center’s product and project management capacity. With the help of [John Grant](#), a facilitator at the JIF training, the Self-Help Center adopted the use of kanban boards, the management software Notion, and process mapping techniques. Taken together, these tools helped the court visualize work progress and create a repository of institutional knowledge. Mr. Player indicated that while he’d wanted to move in this direction for some time, it was Ms. Ramirez’s presentation and experience on the subject that helped his staff get excited to learn the new approach. Complementing this transition, the fellow successfully applied for assistance from the U.S. Digital Response to identify limitations in the office’s software development process and provide recommendations that continue their process improvement journey. Together, they were able to develop best practices for technology product management and to launch the Continuous

Improvement Community Program, which provides a direct line of communication for bug reports and feature requests. It also helped the Self-Help Office make the argument for a budget increase to cover a new full-time employee.

At the conception of the JIF program, the co-founders expected to achieve some technical and cultural wins, but felt that the gold star achievement would be a court making a job offer to a JIF fellow—precisely what happened in Utah. “The lesson I’ve learned [taking part in JIF] is that we just have to hire someone for this,” said Mr. Player. “The translation to doing it ourselves isn’t going to happen with existing resources.” While Ms. Ramirez did not accept the offer, Mr. Player is creating a new full-time position based in part on Ms. Ramirez’s time with the court.

In Kansas, Ms. Lippolis was able to bring user design into the conversation and build excitement around a new project. Through UX workshops and stakeholder presentations, she introduced key design principles to court stakeholders, which helped create familiarity and understanding. Having the fellow there to help translate between design and court process has made UX design a part of the conversation at the Kansas Courts going forward, according to Sarah Hoskinson, chief of Access to Justice Initiatives at the courts.

Thanks to the enthusiasm generated by Ms. Lippolis’ work, the Kansas Office of Judicial Administration’s IT department is excited about the prospect of advancing the design, and the court is considering developing the tool in-house rather than bringing on a vendor. Ms. Lippolis’ prototypes helped show what lies beyond a vendor contract and expanded the coalition of bought-in stakeholders in support of this project. By working with dedicated court partners, we were able to help show that vendors aren’t the only path to improving the public’s digital access to the courts—courts can do this themselves, building upon the innovations of sister courts nationwide. To complement this work, the Kansas Courts applied for and received U.S. Digital Response support regarding their procurement process.

Impact

In Hamilton County, Tennessee, Dr. Albrecht leveraged her legal and technical expertise through coalition building, which will have a long influence after the program. During the orientation at Georgetown, Dr. Albrecht and her court partners created two working groups: First was the Data Innovation Steering Committee, a leadership-level group that included the county senior data analyst, the head of county IT, the chief of staff for the sheriff, the sheriff, the executive director of mental health court, the court coordinator, the head clerk from each division and office, and representatives from legal aid, the mayor's office, and the city. Second was the Data Innovation Advisory Committee, which included elected clerks and more front-line county employees, the elected DA, representatives from philanthropies in Chattanooga, development leads for the county commission, judges, and other data-interested employees.

The committees were intended to create awareness and support for Dr. Albrecht's work, generate feedback, and provide opportunities to build consensus around the project. Collectively, these groups gave her and her county partners a platform to elevate her data work and other data issues that were impacting two branches of local government. Not only did these groups propel the fellow's work, the value of having these stakeholders regularly gather to discuss data issues proved beneficial enough that the committees will continue meeting on a broader set of issues going forward. Similar to the case in Utah, Dr. Albrecht's work as a JIF fellow helped make the argument for a full-time employee to work across agencies on data harmonization. Ultimately, JIF helped foster "local investment, relationship building, and commitment to long-term changes," according to Alexa LeBoeuf, the County Economic and Community Development Director at the Hamilton County Mayor's Office.

The fellowships were not only impactful for the courts: the fellows also reported numerous benefits from participating in the program. For instance, each of them spoke about building new skills and competencies. This included learning how to bridge institutional gaps by working across different departments, branches, and subject matter areas. It was also noted that this boundary-spanning role, which JIF fellows are intentionally hired to play, also helped fellows learn to better translate their technical work to lay audiences. They also indicated that their experience in JIF made them more inclined toward public service projects and public service work in the future.

What We Learned

The JIF program was designed to apply the models of other technologist-in-government fellowships and adapt them for successful application in American and Tribal courts. It was also designed to test whether, by picking the right courts, projects, and fellows, we could overcome some of the systemic challenges that limit court modernization. In the last two years, we learned important lessons about how to create successful engagements, about administering the program, and about systemic challenges facing the court-modernization ecosystem. Here we outline eight key lessons.

1. Short-term fellowship projects can lead to sustainable outcomes.

By meeting courts where they were and identifying the next links in longer projects, we were able to turn short-term fellow projects into ongoing solutions with sustainable outcomes. A challenge that many short-term project-based fellowships face is that once the fellow completes their contract, the project dies on the vine. Cognizant of that, we vetted our courts early and built our statements of work to avoid this fate.

When vetting courts, we looked for partners with a broad coalition of support both in and out of the institution. We also looked for courts that had the resources to carry on the work after the fellowship. In many cases, we were able to identify champions (often it was the applicant themselves) that had been pushing their projects forward and were invested in the outcomes regardless of whether they secured JIF assistance. When co-developing the statements of work, we also identified the work

that would both be unique to a JIF fellow's skillsets and could be completed in under a year. In other words, we wanted to avoid having the fellow become just another general employee for the court; we wanted to ensure they'd be focused on the defined project.

Because projects had been clearly scoped and delineated from other court work, fellows were able to get regular, specific feedback from court partners and bring them more discretely into their process. This helped build buy-in and expand the coalition of support for the fellows' work. It also had more wide ranging effects: Active engagement by courts with fellows on the projects helped bring about cultural changes. These included regular meetings among court stakeholders to discuss data issues; the ongoing incorporation of public feedback on designs; and the consideration of court-wide rule changes.

Because our fellows and court partners worked together, they were able to identify new issues and even secure assistance from the U.S. Digital Response to help further progress the court's modernization efforts. In two of the three sites, USDR's support was during the fellows' latter months in the program, and USDR's work carried on after the fellows left the program. USDR's complementary work will help solidify the fellows' work and ensure the technical and culture wins are sustained at the courts.

What We Learned

2. Developing statements of work with courts is a great vetting mechanism.

After a national call for proposals, we received 18 applications from 14 courts across every region of the country. After triaging the applications based on subject matter—we had five project types we would undertake—and conducting screener calls with the applicants, we had five strong finalists and were looking to work with, at most, three sites.

To help us differentiate the applicants and judge which would be the most compatible to work with, we co-developed statements of work with the five finalists. By keeping the initial application low-touch and high-level, we created opportunities to work with courts on defining specific deliverables and realistic scopes that made sense for our fellows, the program's style, and the court's need. It also gave us a good sense of the levels of collaboration and openness in the courts. The courts we ultimately chose as project sites were dynamic, receptive to feedback, and willing to experiment during the statement of work's development. This process ultimately made the final selection easy.

3. These are people projects.

While each statement of work was built around a technology or design goal, they were all fundamentally people projects. This was true in all three of our sites, and perhaps best illustrated by Dr. Albrecht's time in Tennessee: Not only did she co-lead two inter-governmental work groups to support her project, Dr. Albrecht was also winning hearts and minds across the county. She traveled to every municipality in Hamilton County to meet relevant stakeholders, she attended colleagues' plays and BBQs, and made time for community events when she was in town, such as a drug court graduation. This created a personal connection between Dr. Albrecht, her colleagues, and the work, which proved valuable in building trust in her and her recommendations.

When we vetted fellow applicants, we looked not only for technical ability, but also humility and a human touch. In the future, we would double down on this approach to ensure we continue to attract well-rounded and talented people with the soft skills to succeed as JIF fellows.

4. Early fellow-management support to courts smooths the process.

While JIF administered the program, conducted the hiring process, and helped define the statement of work, the program anticipated a supporting role for itself once the fellows were placed. This meant that the local supervisor would handle the day-to-day of the fellow's work. Largely, this is how each site played out. During the placement, JIF staff met quarterly with court partners and only became more involved with project oversight upon request. However, this relationship could have been better defined at the beginning by JIF, and JIF should find ways to provide other support to local supervisors.

For example, one of our court partners voiced a sentiment we heard from two of our courts, which boiled down to "I don't know enough about this technical area to create structured assignments or assess what the fellow is telling me." Because JIF brings new types of talent into courts, the courts and the fellows often use different language to describe their work. We saw courts take it on faith that the fellow was on the right page; they usually were, but there is room for JIF to help support the translation needs between court and fellow, especially at the beginning of the placement. In the future, we may consider joint JIF-fellow-court meetings early on to smooth over the transition.

5. Mentors make a difference.

Each fellow was given two mentors at the start of the project: one technical and one local. The technical mentor was someone from their field, further along in their career; these mentors were intended to be sounding boards for the technical aspects of fellows' projects. The local mentors were familiar with the reality of court reform and politics and were intended to provide context and insight without having direct stake in the projects. The fellows were asked to meet with their mentors once a month, usually virtually.

The technical mentors proved valuable. In two of the three sites, the fellows met regularly with their mentors and built a meaningful relationship during their time together. Fellows reported that having that in-the-weeds review of their work was an asset. When it came to local

What We Learned

mentors, the results were more mixed. All three fellows indicated that they met only once or twice with the local mentor because there wasn't enough need to meet. In the future, we may make local mentors available on request, but we wouldn't include it as a core support.

6. Fewer talks, more workshops.

Another form of support we provided fellows was a monthly virtual speaker series. This included technologists that have worked in courts on design and data projects, as well as people from the broader civic tech community. The purpose of the series was two-fold: First, to provide a broad spectrum of speakers to offer feedback and help problem-solve challenges the fellows were facing with their projects; and second, to supply insight into the different types of careers in judicial and civic tech, while providing opportunities for networking.

The fellows' exit surveys indicated that they did not appreciate the speaker series. The critique largely came from the perspective that JIF programming should be focused on supporting their projects. It was recommended that, in the future, JIF have fewer speakers and more workshop opportunities, where the fellows can dive into aspects of their projects. A paired down speaker series that allows for those networking opportunities is valuable; however, the first goal of the series—feedback and problem-solving—was clearly more valuable to fellows. A midyear workshop would be a smart inclusion for future classes.

7. Scaling court modernization programming has unique challenges.

JIF started with the assumption that there are common problems across courts that will make for replicable and scalable projects. Despite the success of our projects in individual courts, the problems of limited funding for public interest technology in connection with courts, the balkanized court landscape, and market capture by vendors continued to be barriers to projects scaling and being replicated across jurisdictions.

After our initial success fundraising for the pilot, we found it impossible to create a path to sustainability. In part this is due to things outside of our control, such as losing funds to a core funder's restructuring, and local courts not showing an interest in offsetting costs. How-

ever, there is a larger issue that we and programs in the court modernization space need to face: funders do not see courts as a vector for social change.

We learned that outside of specific case types—mainly eviction and criminal—court function is not recognized as playing a role in exacerbating or ameliorating economic inequality. Many philanthropies explicitly focused on addressing economic and other forms of inequality simply fail to see that the ways courts operate can impact this national issue. One funder who focused on improving access to public benefits didn't see the correlation with our work until we pointed out that once administrative appeals over benefit denial are exhausted, a benefit-seeker's challenge winds up in a courtroom, where it becomes only more financially burdensome. In another case, we were told that to make an impact in courts we needed to take on problematic judges. We noted, to no avail, that a judge is only one touchpoint of many that can derail someone's access to justice: forms, websites, and clerks play much more dispositive roles. This funder failed to see that the administration of justice—and especially the technologies through which it is administered—created systemic problems for everyone, and especially those without resources. We also encountered funders of criminal justice reform, who did not see the value in a program that treated courts and the people using them holistically, as an interrelated system. As we noted, people being held on criminal charges also experience a host of consequences handled in civil courts, like eviction, debt collection, and family disputes. Similarly, unpaid civil fines can become criminal matters. Explaining how criminal and civil justice problems interact to worsen people's lives was not persuasive with that group of funders.

This systemic oversight of the funding community is not unique to JIF. The court modernization community needs to spend more time educating donors and the public about the value of well-functioning, accessible courts.

There's also an argument to be made, as we did in our original white paper for [the Day One Project](#), that while state and local courts are disparate and varied entities, this is a national program tackling a national problem and Congressional action should be one pathway to funding. Our state court systems are a fundamental institution of our democracy. In a time when there is collective concern about both the health of our democratic institutions

What We Learned

and increasing economic inequality, we are failing the third and co-equal branch of government. It is incumbent on court-modernization leaders to make this clear to funders, policymakers, and the public.

Meanwhile, court technology vendors limit modernization efforts to preserve their market power. For some, it may seem that courts are their own worst enemy. Stereotypes of old, recalcitrant, technophobic administrators and judges relying on precedent—literally looking backward—are a common story when hearing complaints about the courts. And while those people and courts do exist, our partners showed how dynamic, forward looking, and creative courts can be. But even with motivated and creative court staff and judges working to change court technologies and processes, vendors can hamstring court modernization efforts.

With little competition in the court technology space, one vendor, [Tyler Technologies](#), has been able to lock in courts across the country with contracts for their “[janky](#)” software. Not only does Tyler Technologies’ market capture undercut court modernization efforts by limiting competition, but the software operates so poorly it has led to false arrests and people being held in jail beyond their sentences. Meanwhile, limitations around data access and open APIs force courts to be reliant on Tyler’s software, as opposed to trying something new.

This problem, while generally known in the space, has largely been overlooked by researchers, regulators, and policymakers. There needs to be a concerted research effort to shine a light on these practices and the economic and social harms created so that a competitive, healthy, and more just court technology ecosystem can be built.

8. A program like JIF is simultaneously too big and too small to succeed in the current environment.

JIF is too big, inasmuch as fellowships are fundamentally expensive. To place one fellow in a court for 11 months costs an average of \$195,000, including salary, benefits, training, travel, and project support. (This does not include overhead costs, the program director’s salary, or other ancillary costs in running the program.) We believe that the return on this investment, both in technical and cultural benefits, outweighs the costs. However, from a funding perspective we’re seen as expensive, or “too big to fund.” At the same time, there are between 5,000-10,000 courts in the United States (shockingly, there is no agreed upon number of courts in the U.S.). Even if we increased funding by one hundred fold, to \$120 million a year, allowing us to place 300 fellows a year, it would take us between 16.5 and 33.3 years to place one fellow in every court. Thus, making us too small for the scope of the problem.

That isn’t to say that a program like JIF shouldn’t exist. A program like JIF very much should exist to the benefit of all, as shown by the success of this pilot. The lesson here is that JIF needs to exist as part of a larger, more ambitious initiative taking on systemic court modernization. JIF fellows are exceptionally capable of complementing larger modernization efforts, and would prove invaluable as embedded components of a larger, national (if not international) court modernization agenda. Paired, say, with efforts to increase communication between courts and combat balkanization, JIF may not need fellows in every court in America—courts without fellows could learn from courts with fellows of the value of in-house technologists and designers. However, as it stands, the program, even with all of its early success, struggles to move forward with appropriate support.

What's Next?

For the coming year, we are focused on the upstream challenges we articulated above: fostering a communication and funding ecosystem that understands and supports court modernization in the United States. This is a necessary condition for JIF and other court modernization projects to survive and thrive. To that end, we are exploring how to improve the messaging around court modernization for funders and the public, create a broad research agenda into anti-competitive trends in the court technology sector, and spark more ambitious modernization efforts that lead to leap-frogging innovations that push not only the justice sector forward, but the technology community at large.

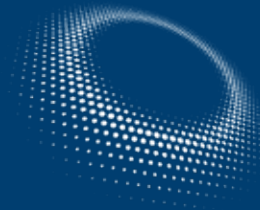
Conclusion

JIF proved its point: talented technical fellows placed in dynamic court settings can improve the public's access to justice and court administration. This marriage between technical talent and court administrators can not only meet short term goals, but support sustainable institutional change. It can also foster the creation of a new talent pipeline by creating an onramp for technologists into the justice sector. While larger systemic challenges exist in the court modernization space, this pilot proved that a program like JIF should exist.



JUDICIAL
INNOVATION
FELLOWSHIP

GEORGETOWN LAW



INSTITUTE FOR
**TECHNOLOGY
LAW & POLICY**

GEORGETOWN LAW