



STATE OF MARYLAND JUDICIARY
Administrative Office of the Courts

REQUEST FOR INFORMATION (RFI)

ONLINE DISPUTE RESOLUTION SOFTWARE

RFI# 1002

ISSUE DATE: JULY 8, 2020

1. Purpose & Background

- The Administrative Office of the Courts (AOC) Online Dispute Resolution (ODR) Work Group monitors the development of court-connected ODR initiatives and develops recommendations about possible ODR projects in the Maryland Judiciary.
- The AOC is interested in learning more about technology solutions to support ODR options in the following areas:
 - i. Adjudication of non-incarcerable traffic cases (e.g. speeding tickets)
 - ii. District Court¹ civil cases (“small claims”)
 - iii. Child enforcement and custody
 - iv. Alternative dispute resolution options and direct party-to-party negotiation for ii and iii, above
 - v. Platform capacity for potential later expansion beyond i through iv, above

2. Information Requesting/ Statement of Need

a. Software Capability

Please confirm that your solution can address all 5 areas identified in Section 1 or which areas it can address.

¹ The District Court is a unified limited jurisdiction court, with locations statewide and centrally administered from its Annapolis headquarters. The District Court has exclusive original jurisdiction over, among other things, non-incarcerable traffic cases and small claims civil cases (\$5,000.00 or less), as well as concurrent jurisdiction over civil claims less than \$30,000 with the general jurisdiction non-unified circuit courts.

b. Software Demonstration

Please confirm that your organization would be available to provide a software demo session, upon request, for informational purposes only.

c. Sample Goals

The following are a sample of goals we would like to realize from the use of a technology solution:

- i. Resolving disputes to the mutual satisfaction of the parties
- ii. Reducing case disposition time
- iii. Reducing costs to the court
- iv. Reducing costs to the parties
- v. Elimination of the requirement that a person appear in person to resolve a minor traffic ticket
- vi. Increasing access to justice
- vii. Increasing user satisfaction rates
- viii. Increasing convenience to the parties
- ix. Increasing court staff job satisfaction

d. Public User Experience

1. How do users access your system?
2. Does your system require users to have an email account?
3. What information does the court need to provide users access to the services?
4. What services does your system support (e.g. text negotiation for parties, text negotiation with mediator, video mediation, other)?
5. Does your system provide screening based on case attributes of participants or screening questions (e.g. depending on answers parties may be directed to texting, video, a queue for review, or another tool)?
 - i. What role does automation and court staff play?
 - ii. Is it configurable by the court?
6. Does your system educate users on their legal options (e.g. asks them questions and provides relevant state law and information or other legal resources)?
 - i. How much informative content can we provide during each step of the process?
 - ii. Can we configure?
7. Does your system track progress of parties?
8. Does your system send reminders to parties?
9. Does your system allow parties to upload documents?

- i. What formats, and is a scanner needed or can people take pictures with a smartphone?
 - ii. Allow parties to sign documents?
 - iii. Allow parties to submit documents and/or an agreement to the court?
- 10. Does your system support payment or allow third party add on payment systems?
- 11. How does the system guide the public in learning and using the system?
- 12. What is the typical system availability?
- 13. How often is the service unavailable due to a planned outage?
- 14. How does the system facilitate communication and negotiations (chat, video, synchronous, asynchronous, private chat, AI, etc.)?
- 15. Does the system detect and flag inflammatory language for the parties?
- 16. Can data be accessed by parties after case is closed? If so, for how long?
- 17. Does the system have a vehicle to include for interpreters and if so, how?
- 18. What browsers is the system optimized for?
- 19. What mobile-device-friendly interfaces are in place?
- 20. What type of reminders are provided to courts, parties, and mediators? (examples: e-mail, text, calendar alerts)
- 21. What evaluation tools are in place for users to give feedback to the court?

e. Security

- 1. Are you offering a cloud solution? If so, are you proposing a Software as a Service, Platform as a Service or Infrastructure as a Service delivery model? Please describe.
- 2. Are you offering public, private, government cloud or a hybrid cloud model? Please describe available models and ensure your pricing includes your offered options.
- 3. Please describe if your solution allows for onsite hosting. Explain the pros and cons of offsite and onsite hosting that your solution offers.
- 4. If a cloud solution, is it FedRamp authorized? If yes, please provide a description of your authorization.
- 5. Does your firm follow and incorporate security and privacy recommendations and best practices from the National Institute Standards and Technology (NIST)? If yes, please describe.
- 6. If a cloud solution, does it rely on third-party partners or subcontractors? If yes, please describe fully.
- 7. If a cloud solution, does it allow a customer to solely manage their own encryption keys or must that function remain with solution provider? Please explain.

f. Privacy

1. Please describe your policy on “data ownership and use” and what controls are in place to ensure the policy is enforced? Specifically,
 - i. How long is data retained, by whom, and where?
2. Please describe your policy on “data destruction” and what controls are in place to ensure the policy is enforced? Specifically,
 - i. How is data destroyed, by whom, and where?
3. Please describe your policy on “security incidents” and what controls are in place to ensure the policy is enforced? Specifically,
 - i. How are customers informed and by whom?
4. Please describe your victim notification policy and process?

g. Infrastructure

1. Does the application support single sign on (SSO)? If so, does it support Microsoft ADFS/SAML?
2. Does your application require LDAP connectivity? If so, does it support secure LDAP (LDAPS)?
3. If the application requires sending email on behalf of the Judiciary, does it support DKIM signatures? Alternatively, can the application be configured to point to an SMTP relay server?
4. If the system runs on premise, or is a hybrid cloud solution, does it support the following:
 - i. Windows Server 2016/2019 or RedHat Enterprise Linux 8 running as a virtual machine.
 - ii. The application must support running on an OS with malware prevention software.
 - iii. The application will be routinely scanned by vulnerability scanners. The software must support these scans without causing downtime.
 - iv. If the application requires a backend database, it must support running on Oracle DBMS or Microsoft SQL Server.

h. Court Users

1. Are there guides and videos for court staff who manage the system? Please provide electronic copies if available.

2. What is the standard hours for customer support? 24/7 or specific days and hours?

i. Transparency

1. Please identify system processes and algorithms that affect decision-making within the solution.

j. Integration and Pricing

1. We are deploying the Tyler Odyssey case management system. Is your system capable of integrating with the case management system or must it operate separately?
 - i. If your system can integrate with our case management system, what confidentiality protections exist in the system to maintain a wall between private party conversations/data and court records?
2. Please provide a high-level description of the pricing model – per case, per user, setup fees, other costs? Please provide pricing for both stand alone and integrated systems if both are an option.
3. Respondents are asked to provide estimated costs to help the AOC understand acquisition and on-going costs.

k. Qualifications

1. What other court organizations are actively using your services?
2. Length of time services have been actively used.
3. Case load for each service.
4. Number of cases resolved.
5. Number of cases that used service and proceeded to trial
6. Deployment levels (e.g. family, civil, a court, a county, statewide, etc.)

3. General Information

- a. The AOC is requesting that information provided by respondents be non-proprietary.
- b. Any cost estimates requested are for budgeting purposes only. Respondents will not be held to price estimates provided as part of the RFI should the AOC decide to issue a competitive solicitation.
- c. At this time the AOC is currently early in the exploration of options; if the AOC decided to test ODR, deployment, would likely be through a pilot phase in a few jurisdictions upon completion of a successful, competitive RFP solicitation.

4. Procurement Officer

The sole point-of-contact for purposes of this Request for Information (RFI) is listed below:

Whitney Williams

Maryland Judiciary, Administrative Office of the Courts

Department of Procurement, Contract and Grant Administration

Telephone: 410-260-1581

Email: whitney.williams@mdcourts.gov

5. Form of Response:

Responses related to this RFI, must be in writing and submitted to the Procurement Officer via email listed in Section 4 by **July 23, 2020 at 2:00pm.**

- a. Respondents are asked to include a written response to all items in Section 2.
- b. Respondents must provide:
 1. Contact name, phone number, and email
 2. Business name, address, and phone number
- c. The AOC welcomes feedback and understands that a variety of individuals, firms, teams and organizations may respond to this RFI. Please include any comment or question that you or your organization deems relevant. Thank you in advance for your participation.