

OCR – Online Case Resolution Initiative

Online case resolution (OCR) is an initiative to develop a web-based platform to enable persons, who have received a traffic or misdemeanor citation or who have been arrested and whose cases are under the jurisdiction of a limited jurisdiction court, to resolve their cases online; to provide access to justice and accountability to the public; and to build a repository of information to enable evaluation, research, and transparency.

A research article, [Criminal Municipal Courts](#), published in the Harvard Law Review, states that there are over 7,500 limited jurisdiction (predominately municipal) courts in the U.S. that adjudicate over 3.5 million criminal cases every year and collect over \$2 billion in revenue and yet “no centralized authority collects comprehensive information about them, how many there are, and the size of their dockets.”¹

Most contested, serious traffic, and virtually all misdemeanor cases are still subject to cumbersome and byzantine court procedures that result in multiple appearances, delay, and cost.² Persons charged with an offense typically have two options: pay the fine or appear in court to contest the charge(s). In most jurisdictions, if persons wish to contest the charge or they have misdemeanor or serious traffic charges, their only option is to appear in court. Plea negotiations occur almost exclusively in the courtroom or outside in the hallway. Appearing in court can pose significant barriers for many people due to factors such as work obligations, childcare responsibilities, and transportation issues. The challenges are further compounded if the matter is contested and not settled at the first appearance, resulting in multiple court appearances. Consequently, some individuals choose to ignore the charge(s) or citation altogether, because they lack the funds to pay the fine and believe there is no viable alternative. For minor cases, they often do not have a lawyer.

OCR benefits people by providing increased access to the courts and making it easier to navigate the legal system, and enables courts and attorneys to better manage and reduce overwhelming caseloads. OCR provides the following key functions to persons and justice system stakeholders, also illustrated in Figure 1, OCR Case Processing, below.

1. **Online defendant portal** – from which persons may access their case, communicate with their lawyer, conduct plea negotiations with the prosecutor, and complete all other transactions with the court, where permissible by law. To work effectively and timely, a defendant portal should be integrated with law enforcement digital ticket, citation, or complaint systems.
2. **Attorney module** – to enable defense counsel to see defendant cases and to assist or mirror defendant actions, including contesting cases and plea negotiation.

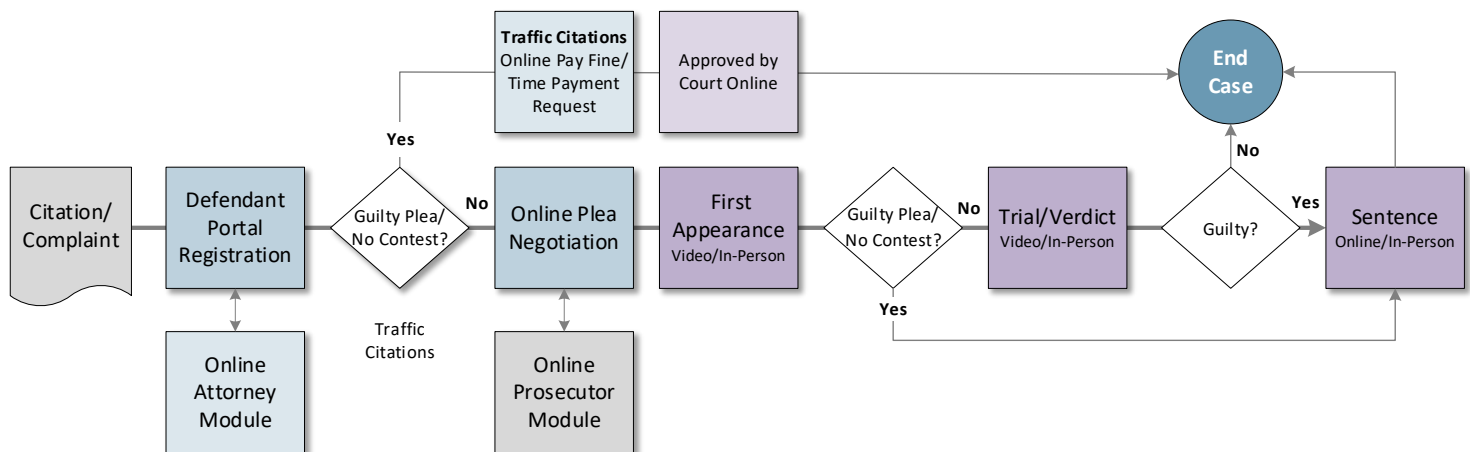
¹ Natapoff, A. (2021). Criminal Municipal Courts. *Harvard Law Review*, 134, 965.

<https://harvardlawreview.org/print/vol-134/criminal-municipal-courts/>. Only limited jurisdiction state courts are broadly accountable to the public for important outcomes such as equity, fairness, access, and timeliness.

² Online payment of traffic tickets has been almost universally implemented, because financial transactions by third parties are simple to monetize through administrative fees.

3. **Prosecutor module** – to enable prosecutors to receive and manage contested pleas and to respond and modify, approve, or deny requests on contested traffic and all misdemeanor cases. In addition, the prosecutor can submit negotiated and signed plea agreements to the court.
4. **Plea negotiation** – a communication tool to facilitate persons to plead not guilty or contest their cases online and transmit written reasons and documentation to the prosecutor to support their requests.
5. **Court case module** – for courts without a robust case management system, to provide tools to the judges to manage cases, including the following: case and defendant information and associated charges/offenses; court calendars, hearing notices, summons, and resets; and court orders and final judgments. If a court has a case management system, OCR will integrate with that system.
6. **Video hearings** – for courts that do not currently have video hearings, enable all parties and attorneys to appear at online video hearings, including trials where permissible by law.

Figure 1 – OCR Case Processing



By increasing the efficiency of case processing, OCR enables faster resolution of cases. Additionally, jurisdictions with large geographical areas or rural populations particularly benefit from the ability to handle some legal work online, reducing the need for in-person court appearances. This is especially crucial in states where hiring lawyers in rural areas poses a significant challenge. In summary, OCR enhances access to the public while simultaneously improving the efficiency of the justice system.

National interest in OCR was demonstrated by the Bureau of Justice Assistance and Louisiana Crime and Law Enforcement funded project to build on an OCR project in New Orleans, funded by the State Justice Institute. This OCR project builds on the foundational work of two states, New Jersey³

³ New Jersey built, during the pandemic, an in-house system, [NJMCdirect](#), for 565 municipal courts around the state, although not all municipal courts have adopted the system. They have been supportive of the initiative,

and Connecticut,⁴ that developed OCR for traffic cases using in-house, proprietary software. New Jersey's OCR system reaches almost all 500+ municipal courts around the state. A small number of individual jurisdictions⁵ have online case resolution or plea negotiation for traffic cases, but very few⁶ enable online defendant access to manage misdemeanor or any kind of criminal cases.

To be affordable, effective and reach the substantial number of municipal and limited jurisdiction courts in the United States, the Justice Management Institute's (JMI) OCR initiative will be cloud-based and built under an open source, GNU General Public License (GPL)⁷ for participating states, making it accessible and affordable to all municipal and limited jurisdiction courts. The open-source license and non-commercial business model ensures the product best matches the needs of the jurisdiction and increases its long-term sustainability.

The OCR Initiative is led by the JMI, working with an open-source application developer, with funding from the State Justice Institute. The OCR Initiative Team is working with the Municipal and Traffic Court of New Orleans to build a pilot OCR system; and with two other pilot jurisdictions, North Las Vegas Justice Court and Missoula Municipal Court, to build an implementation plan for OCR at their courts and to expand the platform to other courts in each state. The OCR initiative will also have a National Working Group with support and representation from Louisiana, New Jersey, Pennsylvania as well as up to four additional states who may be interested in possible expansion of OCR into their states.

Access, in the digital age, is convenience and control over our lives and choices. Procedural fairness is enhanced by clarity and trust in a process that is transparent and easy to use. OCR will also be a valuable tool for self-represented litigants,⁸ as well as for those with counsel. Access and trust will increase compliance by defendants, who often contest or seek assistance, because they cannot afford to pay a fine. The OCR project will also advance criminal justice reform by providing defendants with the same options online they would have in person to negotiate outcomes, settle cases with the prosecution, and appear in court. The public expects online access. OCR will contribute to transforming courts to meet those expectations.

including providing technical support for the design and specifications for the New Orleans OCR system, funded at its inception by the SJI.

⁴ Connecticut has also built a similar [Online Ticket Review](#) system, primarily focused on negotiations with the prosecutor, in 13 judicial districts.

⁵ The six pilot ODR and OCR projects in Arizona are viewed by the Administrative Office as failures. They are contracts to for-profit software providers, such as Catalis that bought two smaller software companies.

⁶ The County Commissioners Association of Pennsylvania is rolling out a defendant portal system, county-by-county for those accused of crimes. Only a minority of the 68 counties have adopted the system.

⁷ GNU GPL is an open-source license that does not permit commercialization but allows users to embed or link the code in or to other systems. See <https://www.gnu.org/licenses/gpl-3.0.en.html>.

⁸ While the portal and guides will be usable by self-represented litigants, they will also be accessible and designed for defendants who retain counsel or have an attorney appointed for them.