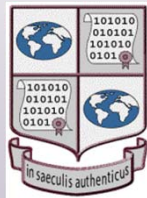


# InterPARES 3 : TEAM Malaysia

## AN ANALYSIS OF THE BEST PRACTICE GUIDELINES FOR DEVELOPING RECORDKEEPING FUNCTIONAL REQUIREMENTS FOR THE SUPERIOR COURTS OF MALAYSIA

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INTERNATIONAL SYMPOSIUM  
OSLO, NORWAY  
17 September 2010



InterPARES3 PROJECT



UNIVERSITI TEKNOLOGI MARA

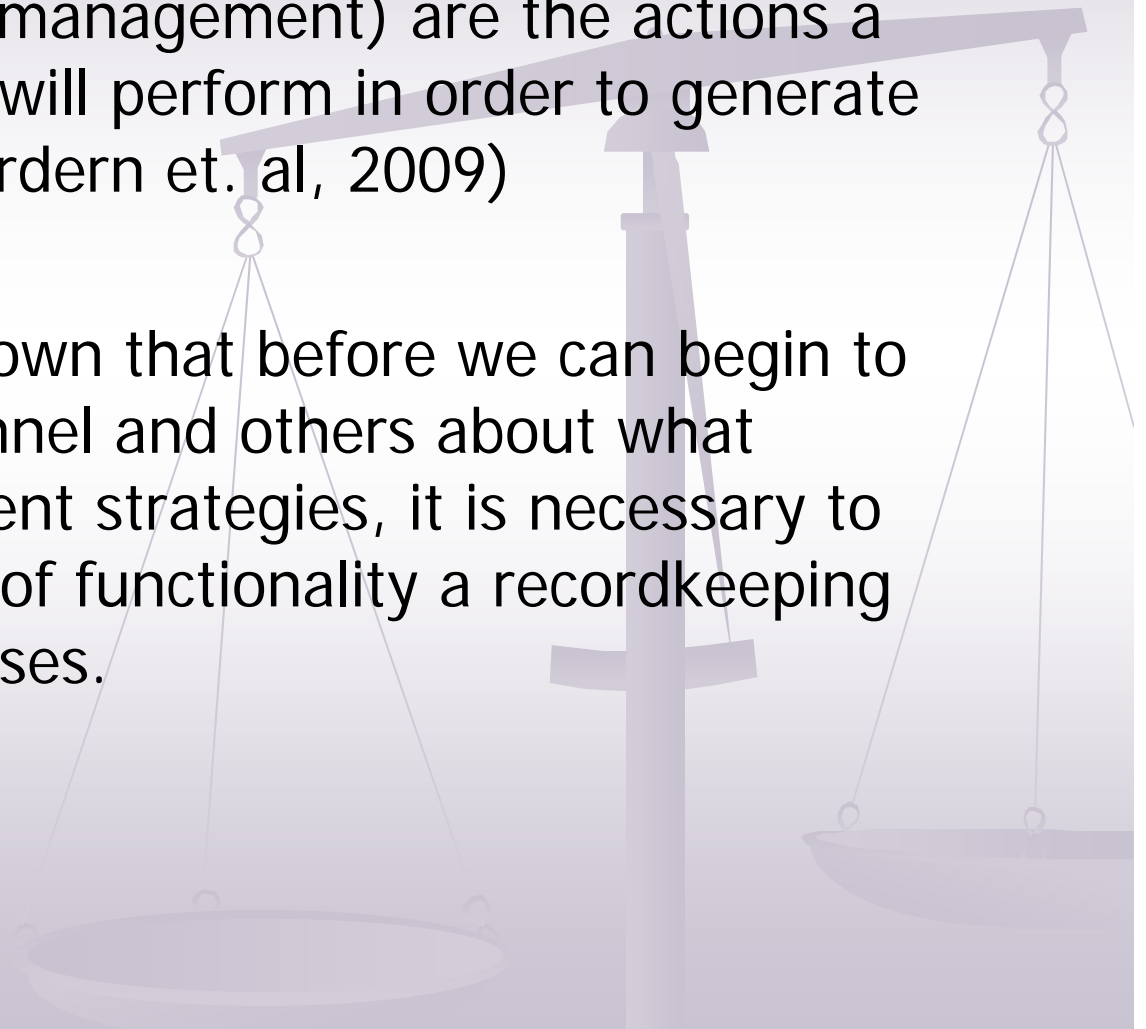
# PRESENTATION OUTLINE




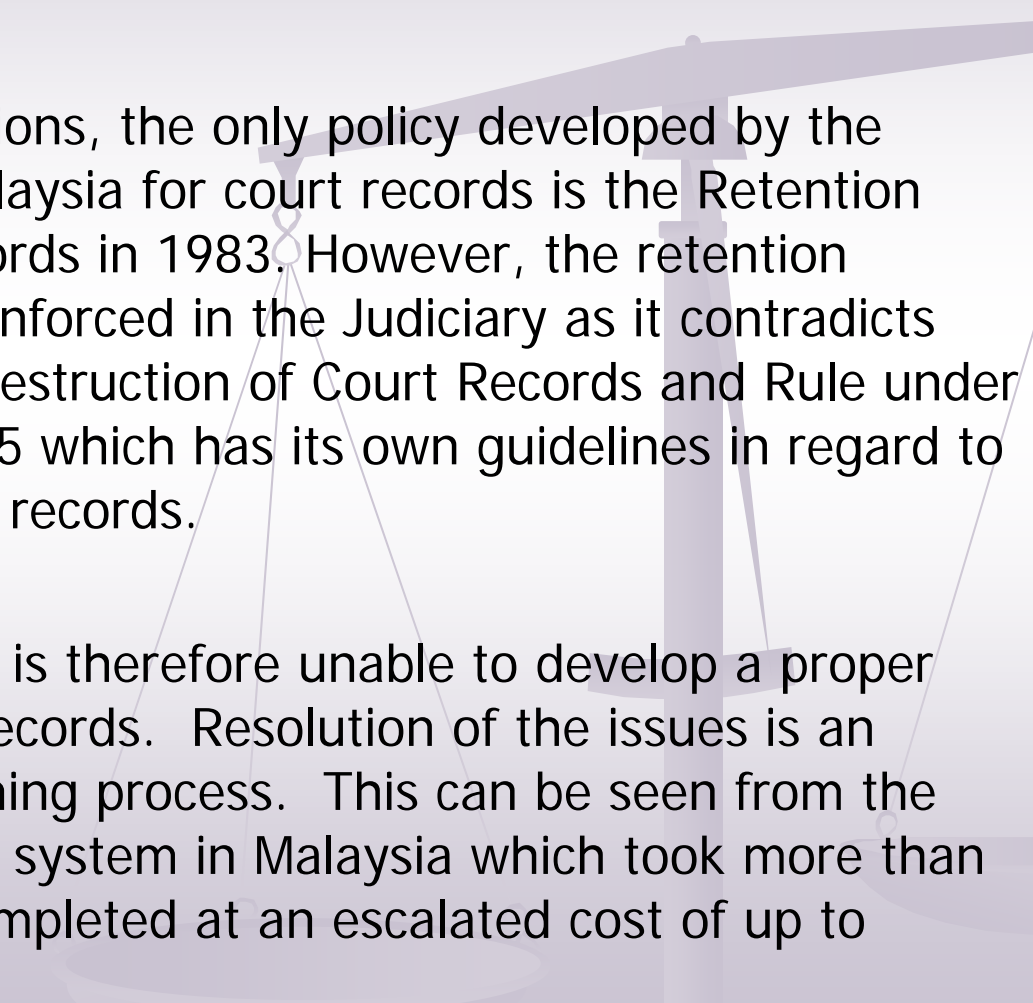
1. Introduction
2. Objective
3. Analysis of the six international best practices of functional requirements for electronic records management.
4. Analysis of the national functional requirements for electronic records management.
5. Analysis of the international court records management requirements.
6. Data Analysis Results of the Various International and National Best Practices of Functional Requirements for Electronic Records Management
7. Data analysis results of the International Court Records Management Requirements
8. Conclusion

# INTRODUCTION

- Functional requirements (within the context of electronic records management) are the actions a software program will perform in order to generate a desired result (Arden et. al, 2009)
- Experience has shown that before we can begin to talk with IT personnel and others about what records management strategies, it is necessary to define what types of functionality a recordkeeping system should possess.



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- In the legal environment, the ambit and application of a piece of legislation is referred to as its jurisdiction. If the jurisdiction of a particular policy or act is not clear, this can create difficulties for record managers and archivists. (IRMT, 2002)
  - National Centre for State Courts, (2001) traces, some functions in the standards inherently needs intensification because they have been expressed in general terms for those national standards.
  - Certain terms used in those national standards are deliberately ambiguous and must be further defined before application software vendors can design their products for courts.

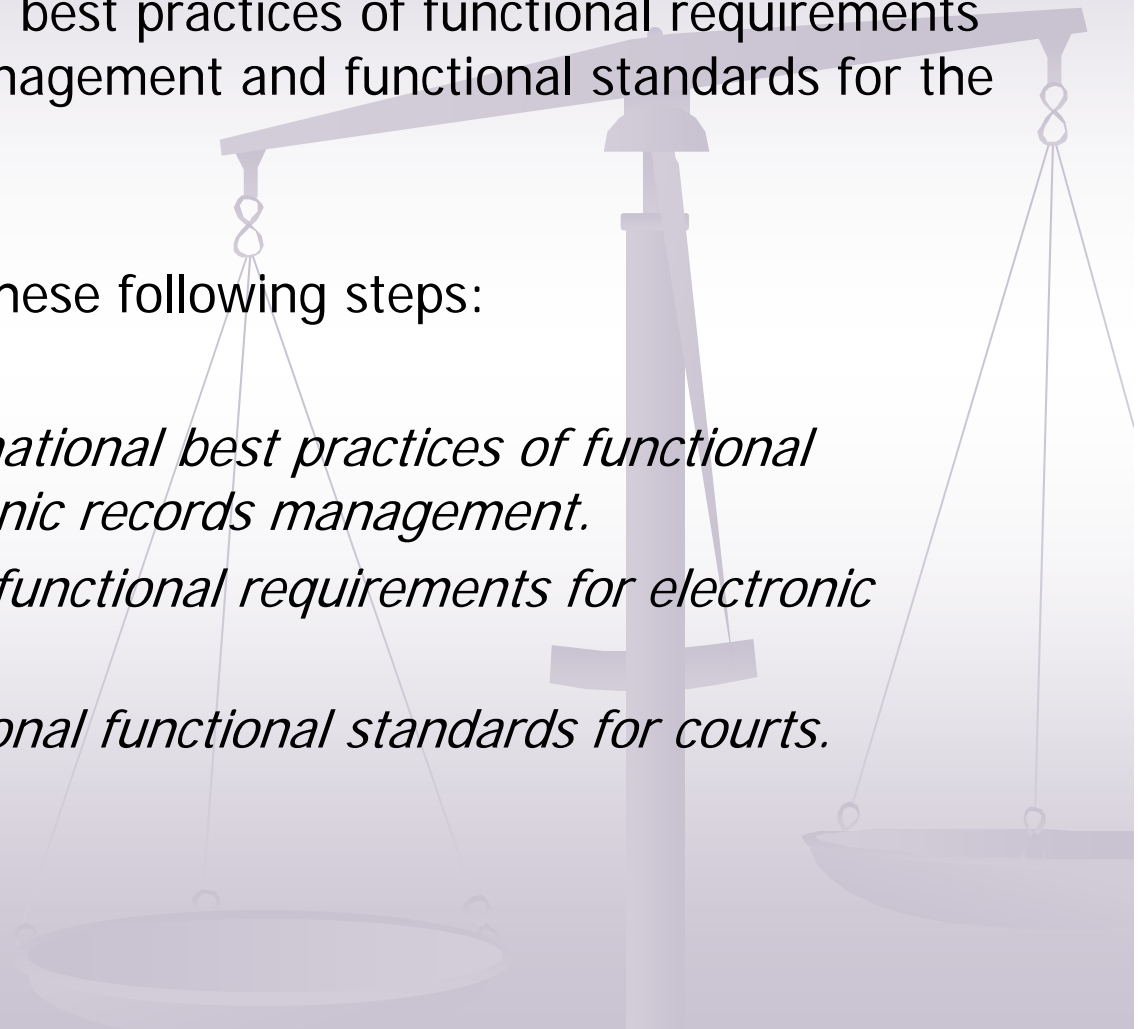
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- In Malaysia neither the Judiciary nor the National Archives of Malaysia has developed functional requirements for court recordkeeping systems.
  - Based on our investigations, the only policy developed by the National Archives of Malaysia for court records is the Retention Schedule for Court Records in 1983. However, the retention schedule could not be enforced in the Judiciary as it contradicts Enactment 18/1935 – Destruction of Court Records and Rule under Section 2 No. 18 of 1935 which has its own guidelines in regard to the destruction of court records.
  - The Malaysian Judiciary is therefore unable to develop a proper ERMS for their courts' records. Resolution of the issues is an expensive, time-consuming process. This can be seen from the development of e-Court system in Malaysia which took more than five years to be fully completed at an escalated cost of up to RM69.84 million.

# OBJECTIVE

The objective of this paper is to identify and analyze the various international and national best practices of functional requirements for electronic records management and functional standards for the courts.

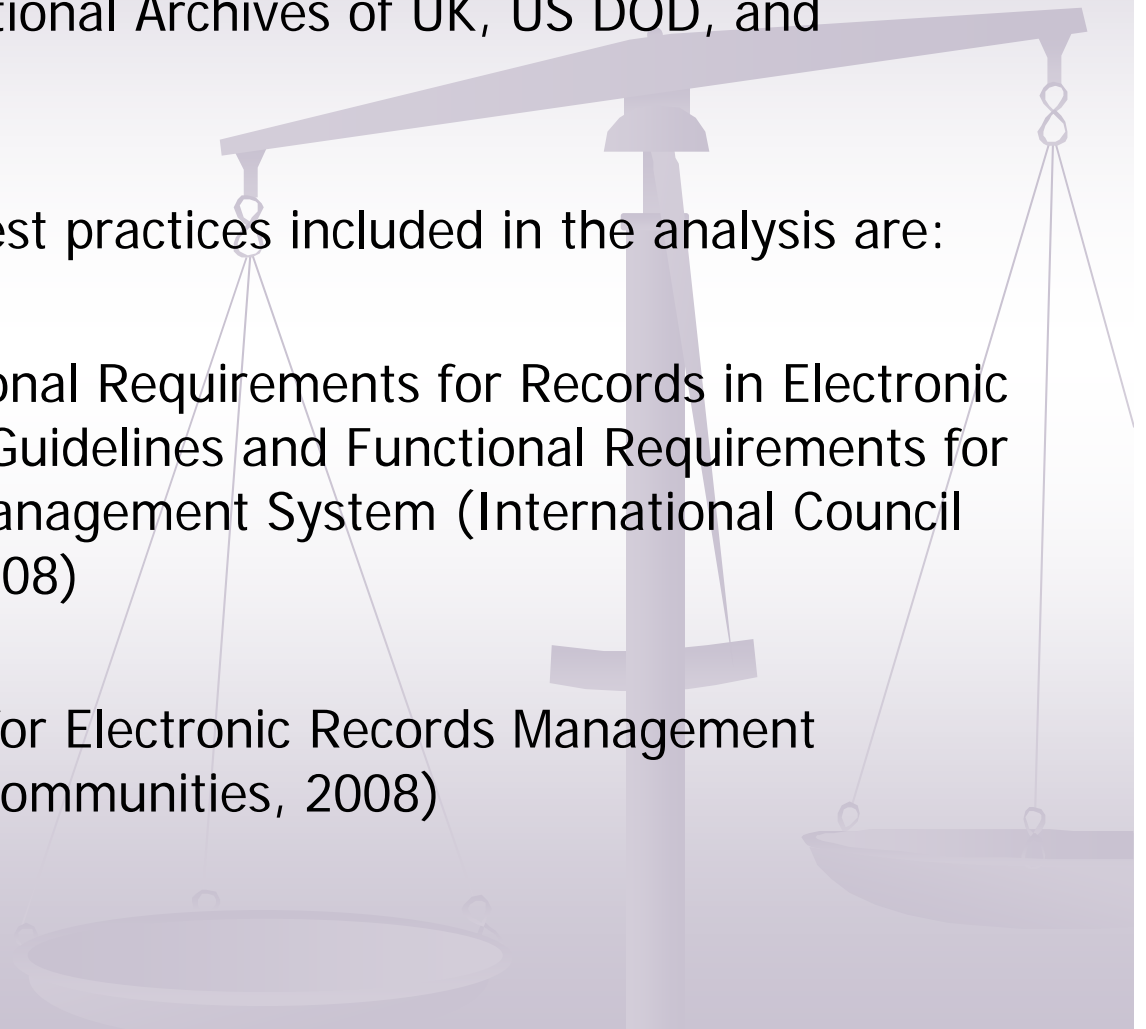
The analyses are based on these following steps:

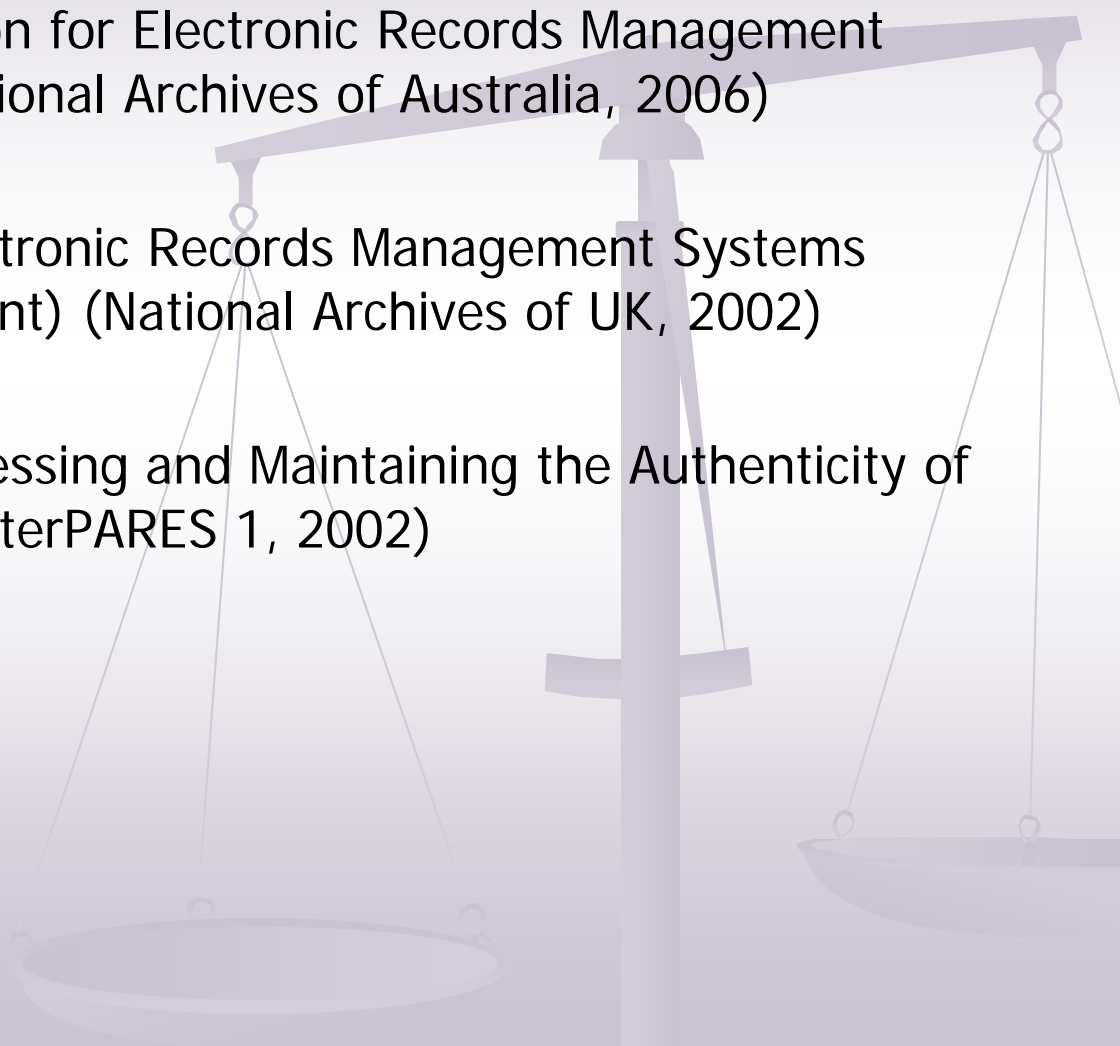
- a) *Analysis of the six international best practices of functional requirements for electronic records management.*
- b) *Analysis of the national functional requirements for electronic records management.*
- c) *Analysis of the international functional standards for courts.*



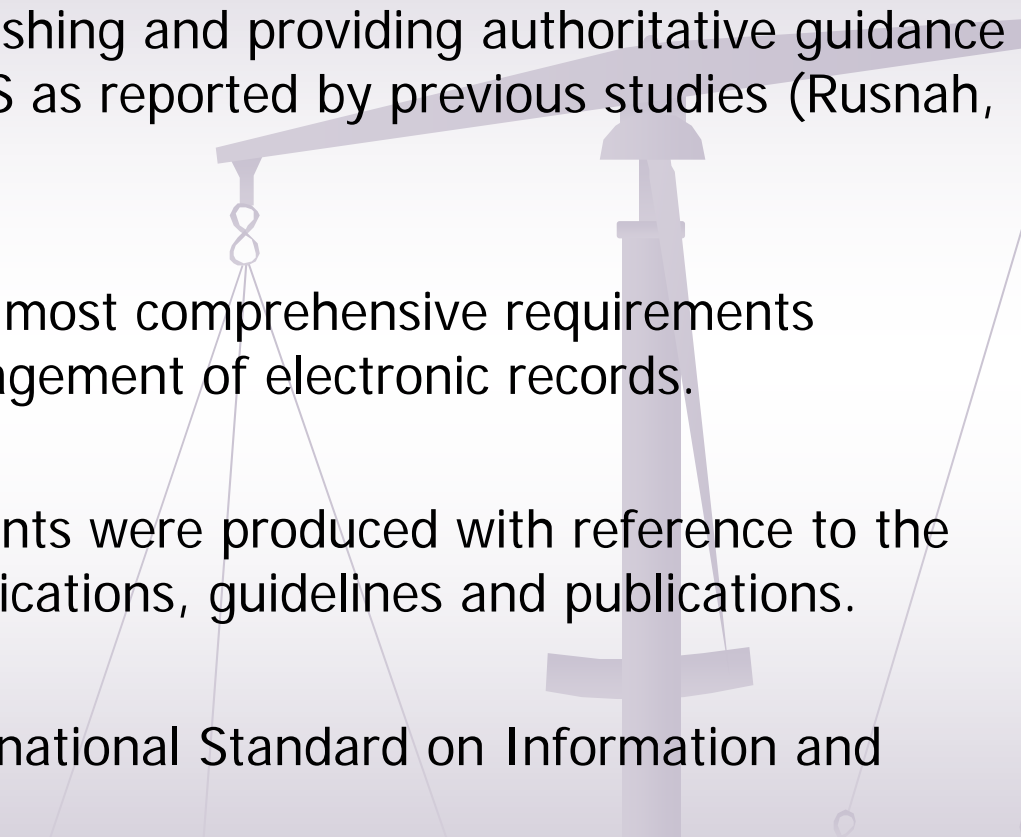
# ANALYSIS OF THE SIX INTERNATIONAL BEST PRACTICES OF FUNCTIONAL REQUIREMENTS FOR ELECTRONIC RECORDS MANAGEMENT.

- Originate from International Council on Archives (ICA), the National Archives of Australia, National Archives of UK, US DOD, and InterPARES, Canada.
- The requirements and best practices included in the analysis are:
  - Principles and Functional Requirements for Records in Electronic Office Environment: Guidelines and Functional Requirements for Electronic Records Management System (International Council on Archives (ICA), 2008)
  - Model Requirements for Electronic Records Management (MoReq2, European Communities, 2008)



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- Electronic Records Management Software Applications Design Criteria Standard (DoD5015-02-STD, US Department of Defence, 2007)
  - Functional Specification for Electronic Records Management System Software (National Archives of Australia, 2006)
  - Requirements for Electronic Records Management Systems (Functional requirement) (National Archives of UK, 2002)
  - Requirements for Assessing and Maintaining the Authenticity of Electronic Records (InterPARES 1, 2002)



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- The requirements have been chosen for several reasons:
    - The institutions and organizations listed are leading advocates for developing, establishing and providing authoritative guidance on all aspects of ERMS as reported by previous studies (Rusnah, 2007; Walker, 2002).
    - Among the latest and most comprehensive requirements available for the management of electronic records.
    - All of those requirements were produced with reference to the various existing specifications, guidelines and publications.
    - Aligned with the International Standard on Information and Documentation (ISO).

# ANALYSIS OF THE NATIONAL FUNCTIONAL REQUIREMENTS FOR ELECTRONIC RECORDS MANAGEMENT

The *Electronic Records Management System: System Specification for Public Office* published by the National Archives of Malaysia has been chosen as the benchmark for this study for several reasons:

- the recordkeeping activities in Malaysian public agencies are governed by the National Archives of Malaysia.
- the requirements are considered to be the latest requirements developed by the National Archives of Malaysia.
- adapted and incorporated all the recommendations from one of the international standards; *The International Council on Archives, Principles and Functional Requirements for Records in Electronic Office Environments Project* in which the National Archives of Malaysia also participates.

# ANALYSIS OF THE INTERNATIONAL FUNCTIONAL STANDARDS FOR THE COURTS.

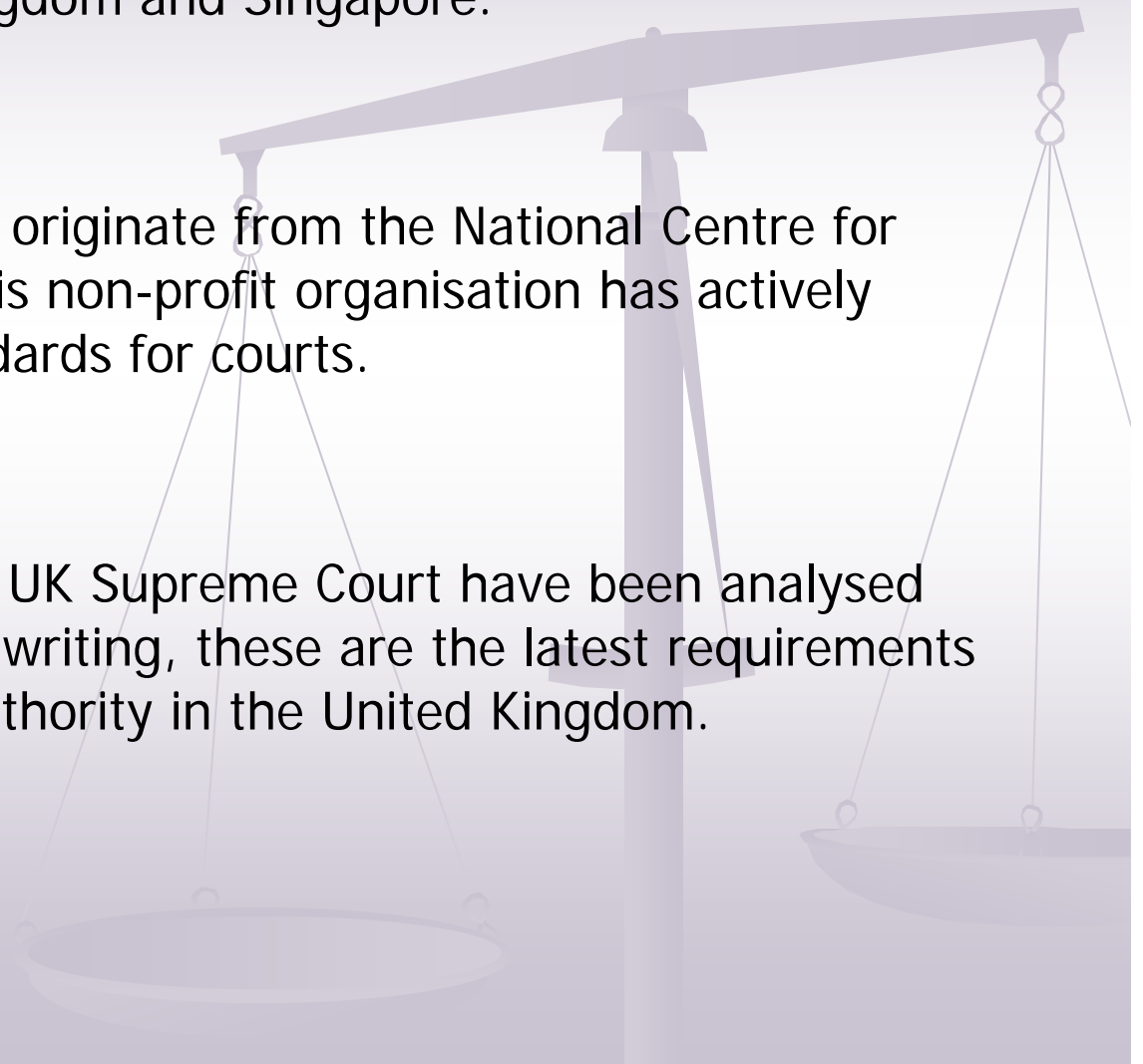
The step involves an analysis of nine international requirements from United States, United Kingdom and Singapore.

## United States

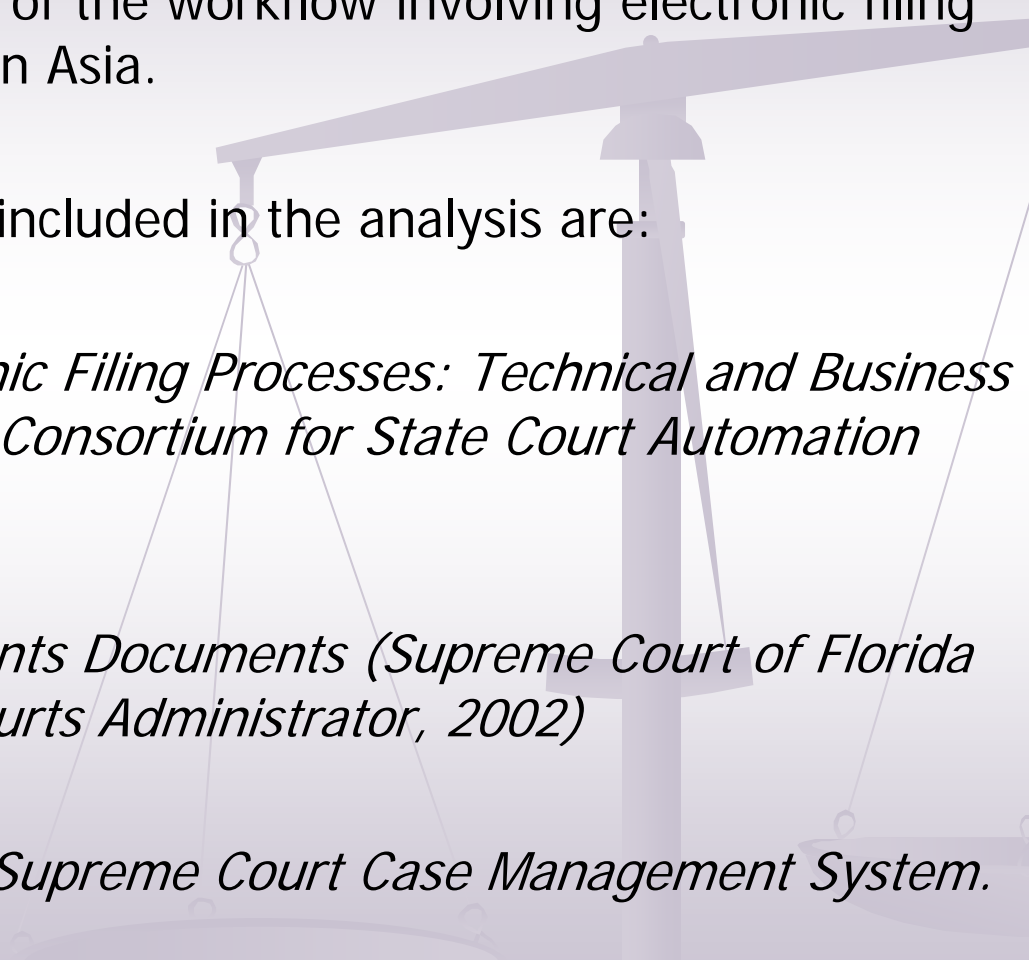
- Most of the requirements originate from the National Centre for State Court in the US. This non-profit organisation has actively produced functional standards for courts.

## United Kingdom

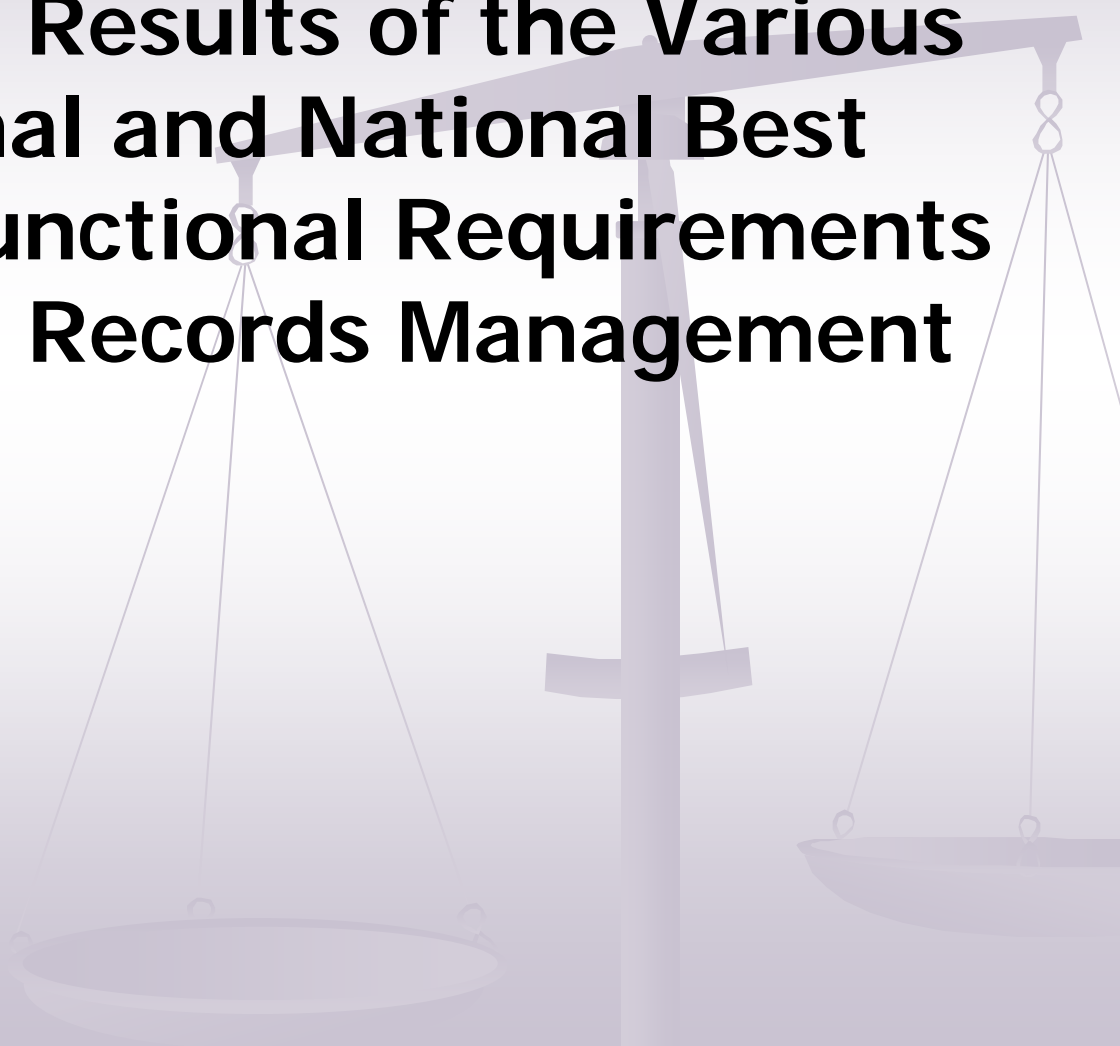
- The requirements for the UK Supreme Court have been analysed because until the time of writing, these are the latest requirements for the highest judicial authority in the United Kingdom.



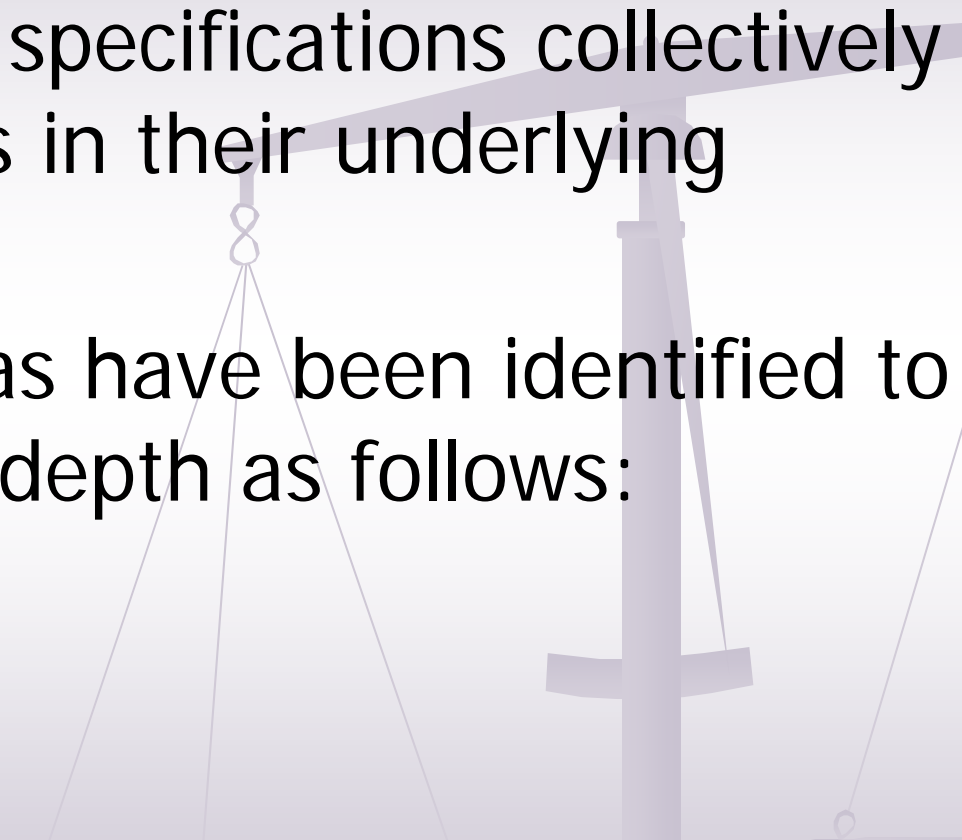
## Singapore

- Electronic Filing System of the Supreme Court of Singapore: IDEF0 Activity Model has also been analysed as it gives a clearer picture and better understanding of the workflow involving electronic filing system for court records in Asia.
  - The functional standards included in the analysis are:
    - *Standards for Electronic Filing Processes: Technical and Business Approaches, National Consortium for State Court Automation Standards (2003)*
    - *Functional Requirements Documents (Supreme Court of Florida Office of the State Courts Administrator, 2002)*
    - *Requirements for UK Supreme Court Case Management System. (2008)*
- 

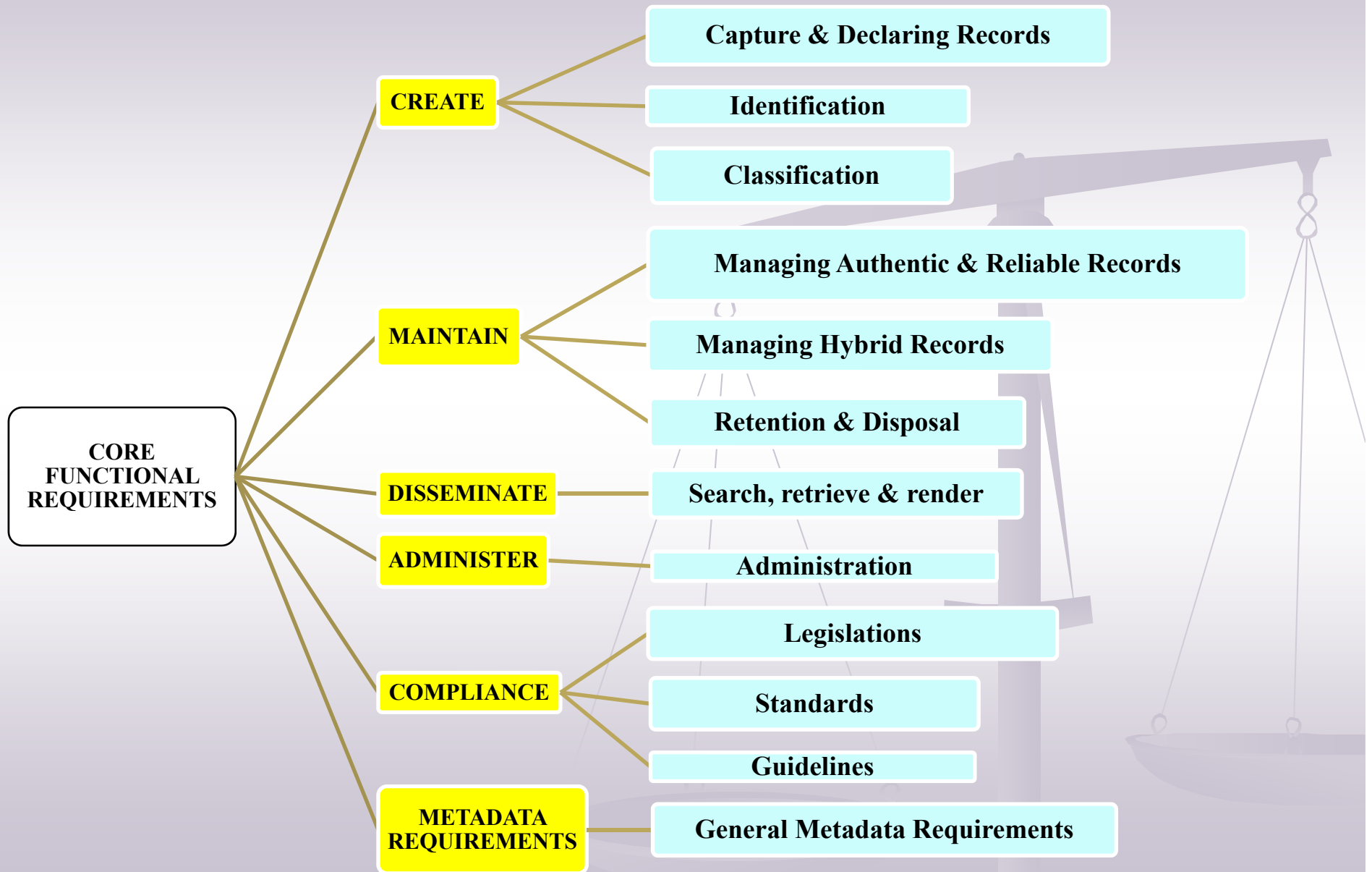
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- *Requirements for Delivery of Electronic Document & Records Management application for UK Supreme Court (2008)*
  - *Functional Specification: FullCourt Pilot Project of Case Management System for the Montana Districts Courts (Draft) (Supreme Court of Montana, 2007)*
  - *Software Functional Requirements Version 1.0: Texas Data-Enabled Courts for Kids (TexDECK)(2008)*
  - *Civil Case Processing System Functional Standards, National Centre for State Court, 2001*
  - *Protection of Electronic Case Records in Paperless Court Operations, Arizona Court of Judicial Administration (Draft), 2008*
  - *Electronic Filing System of the Supreme Court of Singapore: IDEF0 Activity Model, InterPARES, 2005*



**Data Analysis Results of the Various  
International and National Best  
Practices of Functional Requirements  
for Electronic Records Management**

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- All of the seven specifications collectively show similarities in their underlying themes.
  - Three main areas have been identified to be discussed in depth as follows:
    - Functions
    - Purposes
    - Obligation level

FRAMEWORK BELOW INDICATES THE MAIN FUNCTIONS AND SUB-FUNCTIONS SUMMARIZED FROM THE SEVEN SPECIFICATIONS.





## THE PERCENTAGE OF COVERAGE ON THE CONTENT OF EVERY FUNCTION

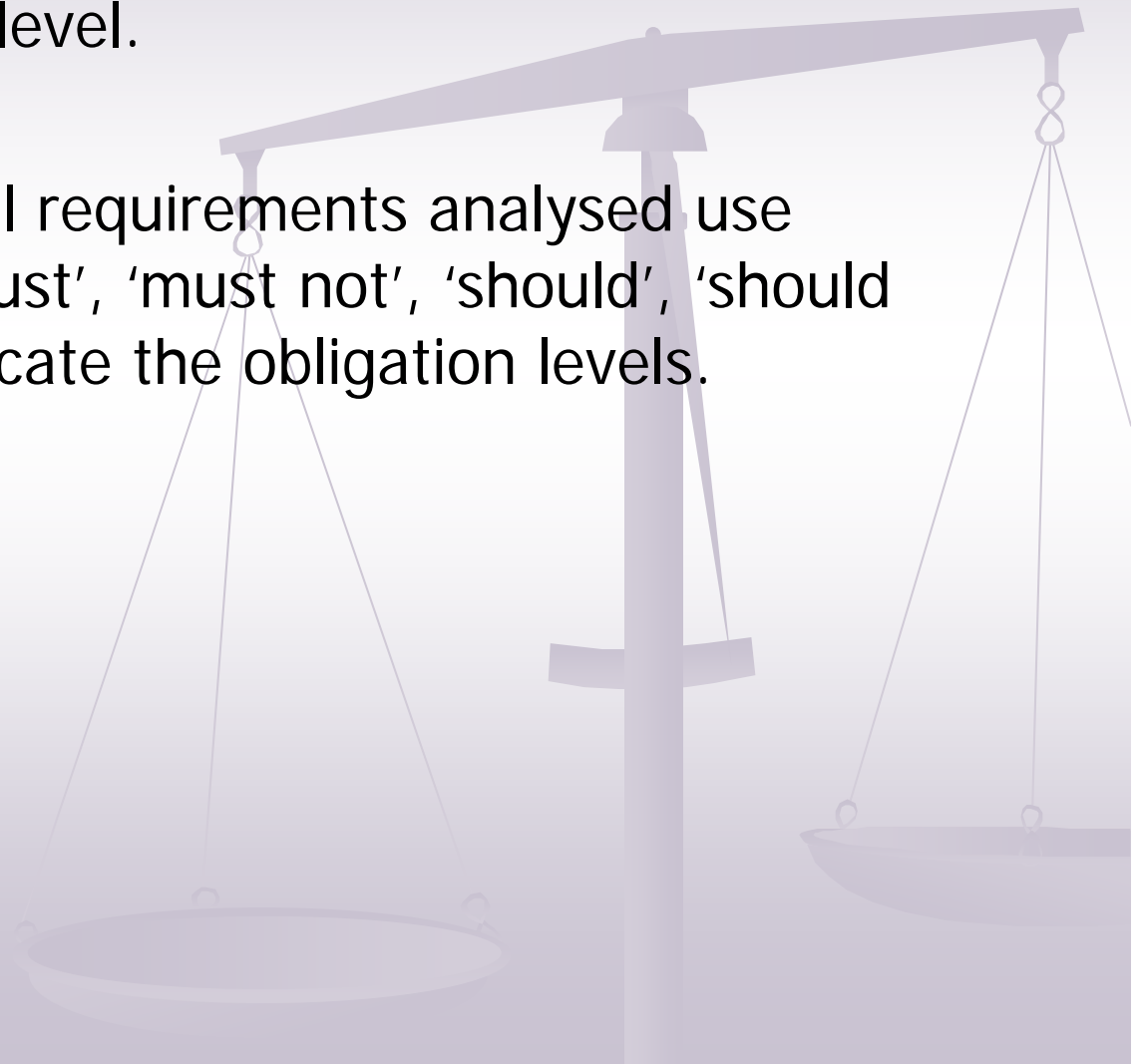
SPECIFICATIONS	ICA	MoReq2	DoD	NAA	NAUK	Inter-PARES	NAM
<b>SUB-THEMES</b>							
<i>Capture &amp; Declaring Records</i>	7.7%	9.17%	7.15%	6.79%	2.78%	0.92%	6.1%
<i>Identification</i>	0.9%	0.47%	0.8%	0.99%	0.49%	7.69%	0.72%
<i>Classification</i>	6.28%	9.6%	6.94%	4.41%	1.63%	-	4.94%
<i>Managing Authentic and Reliable Records</i>	8.72%	5.08%	30.57%	9.88%	7.48%	95.68%	6.73%
<i>Hybrid Records Management</i>	2.47%	2.1%	23.2%	3.28%	2.15%	-	1.9%
<i>Retention &amp; Disposal</i>	9.14%	6.06%	18.91%	8.09%	18.86%	4.43%	7.02%
<i>Search, Retrieve &amp; Render</i>	5.9%	4%	0.86%	4.85%	5.01%	1.26%	5%
<i>Administration</i>	3.72%	4.38%	1.82%	8.4%	4.46%	2.37%	3.47%
<i>Compliance</i>	0.25%	0.35%	0.45%	1.37%	1.1%	-	
<i>Metadata</i>	1.73%	1.81%	1.5%	4.75%	7.5%	-	2.35%

# SYNTHESIS OF THE PURPOSES OF FUNCTIONAL REQUIREMENTS ON ERM

<b>SPECIFICATIONS</b>	<b>S1</b>	<b>S2</b>	<b>S3</b>	<b>S4</b>	<b>S5</b>	<b>S6</b>	<b>S7</b>
<b>PURPOSES</b>							
Manage authentic and reliable records in ERMS.	√	√	√	√	√	√	√
Develop requirement for records management functionality for inclusion in a design specification when building, upgrading or purchasing ERMS software.	√	√	√	√	√		√
Access the capability or performance of existing ERMS software.	√	√	√	√	√	√	√
Undertake a recordkeeping audit or compliance check of existing ERMS.	√	√	√	√	√		√
Visible by developing, registering and using rich metadata to describe the records and their context.	√	√	√	√	√	√	√

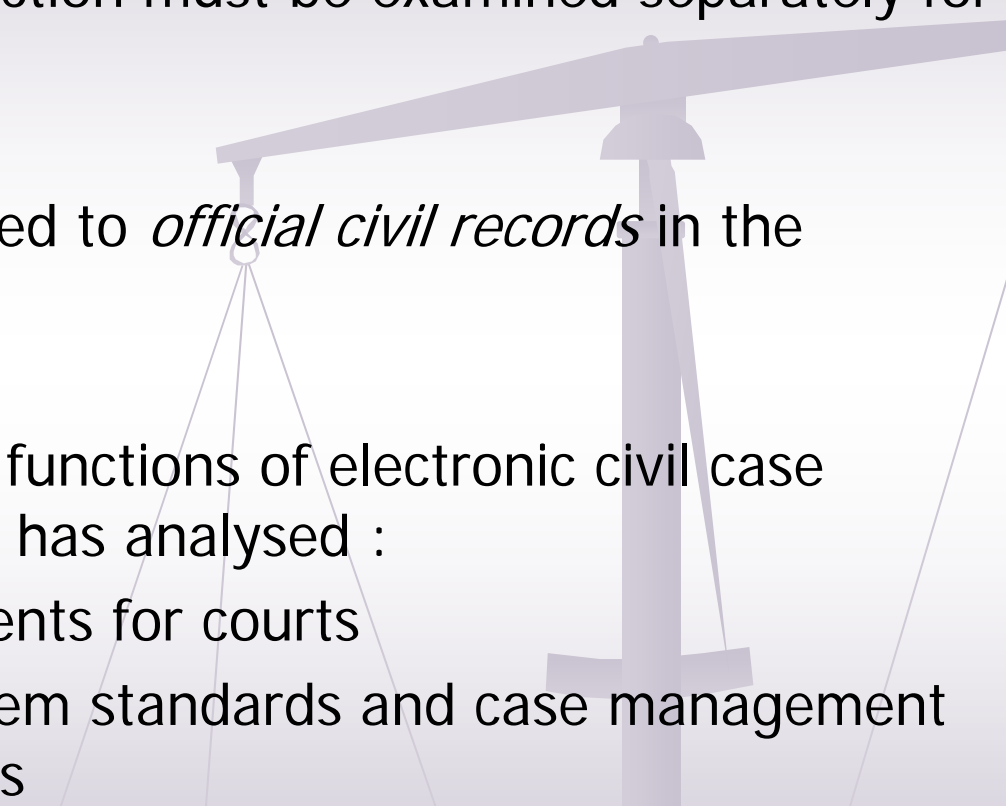
## OBLIGATION LEVEL

- Each of the functional requirements follows the same pattern of obligation level.
- Most of the functional requirements analysed use keywords such as 'must', 'must not', 'should', 'should not' and 'may' to indicate the obligation levels.



**Data analysis results of the  
international functional  
standards for courts.**



- 
- According to the National Center for State Courts, US (2001), in order to ensure that the system comprehensively meets a court's needs, each function must be examined separately for each case type.
  - Thus, this study is limited to *official civil records* in the Superior Courts.
  - In order to identify the functions of electronic civil case records, the researcher has analysed :
    - functional requirements for courts
    - electronic filing system standards and case management system specifications

The table below shows the sub-themes which represent the functions of civil case processing and the percentage of coverage on the content of every function (sub-theme).

<b>SPECIFICATIONS</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6</b>	<b>R7</b>	<b>R8</b>	<b>R9</b>
<b>SUB-THEMES</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
Case initiation	-	<i>1.17</i>	-	-	<i>3.03</i>	<i>6.61</i>	<i>2.94</i>	-	<i>4.25</i>
Indexing	-	-	-	-	-	-	<i>2.58</i>	<i>2.09</i>	-
Docketing/Register of action	<i>0.81</i>	<i>2.87</i>	-	-	-	<i>3.17</i>	<i>7.34</i>		<i>3.98</i>
Case, File, Document & Property management function	<i>9.05</i>	<i>4.21</i>	<i>17.62</i>	<i>5.83</i>	<i>0.3</i>	<i>4.77</i>	<i>8.99</i>	<i>36.89</i>	<i>20.20</i>
Scheduling function	-	<i>2.54</i>		-	-	<i>6.61</i>	<i>7.44</i>	-	-
Calendaring function	-	<i>0.82</i>	<i>5.43</i>	-	<i>0.5</i>	<i>2.11</i>	<i>3.02</i>	-	-
Hearing function	-	<i>0.69</i>	-	-	-	<i>23.8</i>	<i>2.60</i>	-	<i>30.30</i>
Financial activities	-	<i>0.56</i>	-	-	<i>1.66</i>	-	<i>15.71</i>	-	
Security function	<i>3.75</i>	-	-	-	<i>4.63</i>	-	-	-	<i>13.40</i>
Integration	<i>1.22</i>	-	-	-	-	-	-	-	-
Imaging	-	-	-	-	<i>20.46</i>	-	-	<i>4.82</i>	<i>0.51</i>
Legacy data conversion	-	-	-	-	<i>3.72</i>	-	-	-	<i>2.01</i>
Information sharing among courts	<i>0.50</i>	-	-	-	-	-	-	-	-
Reporting	-	<i>1.73</i>	<i>7.20</i>	-	<i>11.13</i>	-	-	-	<i>1.54</i>
Complaints	-	-	<i>0.84</i>	-	-	-	-	-	-
Preservation & Disposition function	<i>0.51</i>	<i>1.36</i>	<i>5.03</i>	-	-	<i>0.26</i>	<i>3.09</i>	<i>25.99</i>	<i>3.81</i>
Compliance	-	-	<i>2.42</i>	-	-	-	-	-	-

The table below shows the alphanumeric code along with their specifications for easier explanation

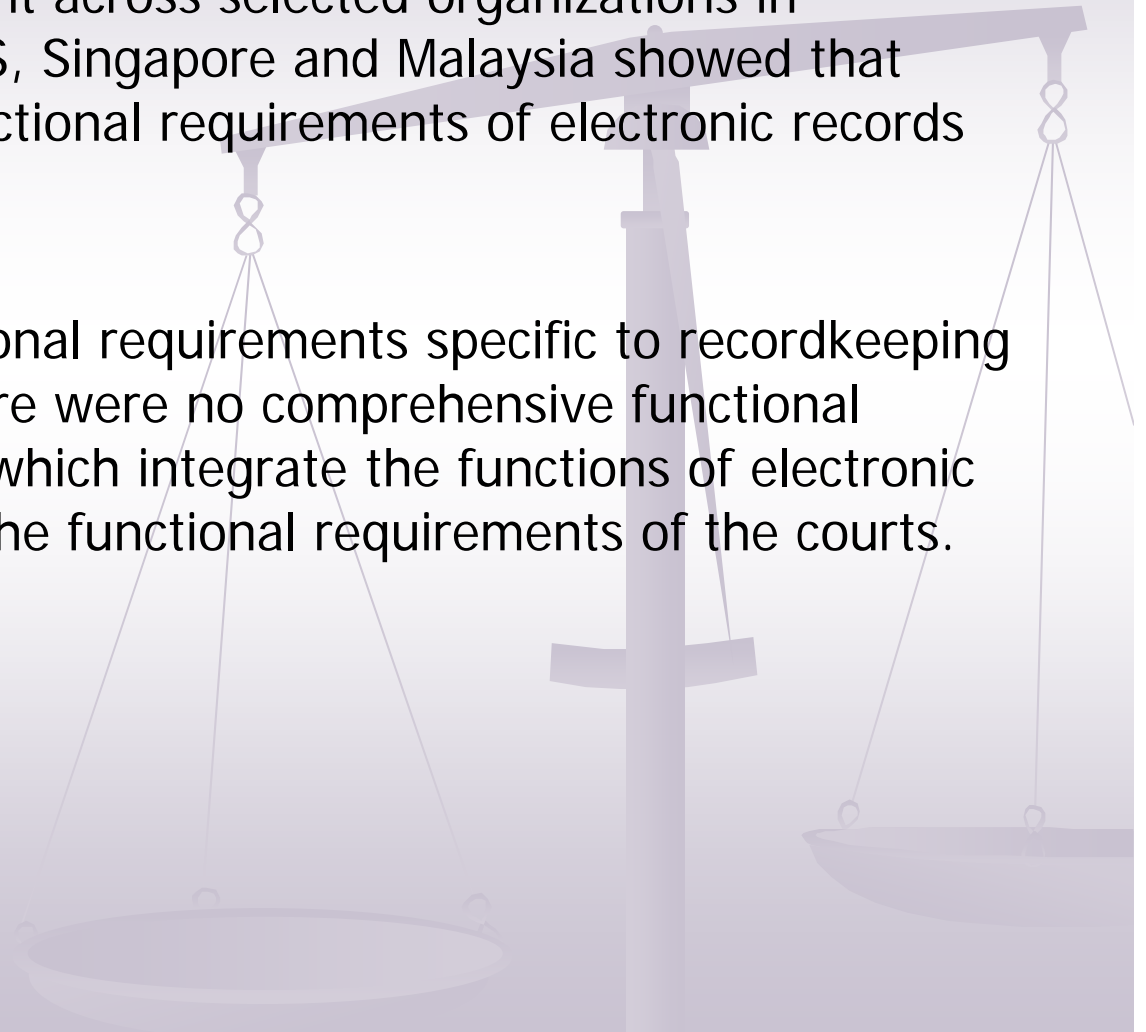
RI	<i>Standards for Electronic Filing Processes: Technical and Business Approaches, National Consortium for State Court Automation Standards (2003)</i>
R2	<i>Functional Requirements Documents (Supreme Court of Florida Office of the State Courts Administrator, 2002)</i>
R3	<i>Requirements for UK Supreme Court Case Management System. 2008</i>
R4	<i>Requirements for Delivery of Electronic Document &amp; Records Management application for UK Supreme Court (2008)</i>
R5	<i>Functional Specification: FullCourt Pilot Project of Case Management System for the Montana Districts Courts (Draft) (Supreme Court of Montana, 2007)</i>
R6	<i>Software Functional Requirements Version 1.0: Texas Data-Enabled Courts for Kids (TexDECK)(2008)</i>
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R9	<i>Electronic Filing System of the Supreme Court of Singapore: IDEF0 Activity Model, InterPARES, 2005</i>



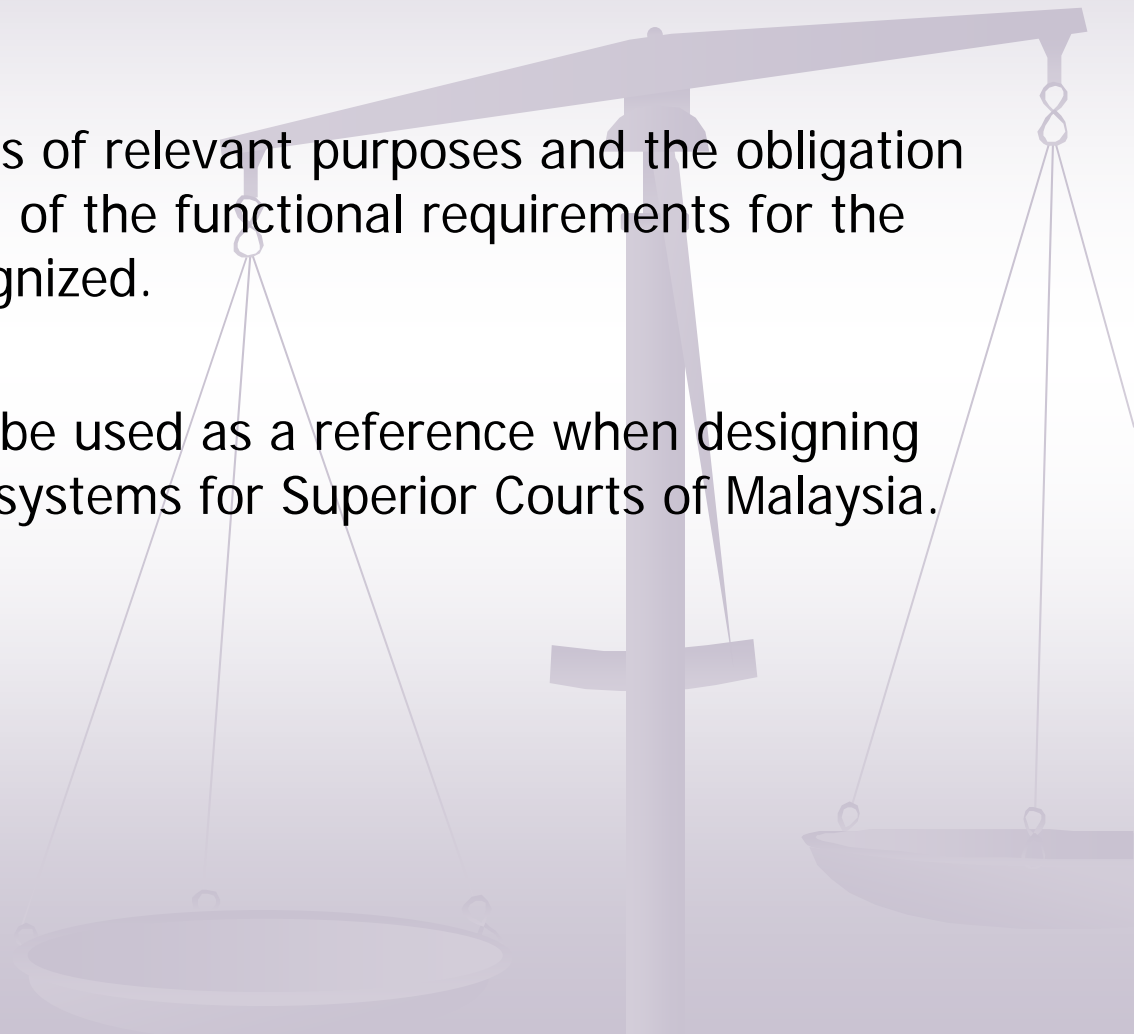


## CONCLUSION

- Findings of the analysis of the various international and national functional requirements for electronic records management and court records management across selected organizations in Australia, Canada, UK, US, Singapore and Malaysia showed that they comply with the functional requirements of electronic records management.
- With regard to the functional requirements specific to recordkeeping system of the courts, there were no comprehensive functional requirements developed which integrate the functions of electronic records management in the functional requirements of the courts.



- Therefore, the researchers have to analyze sixteen functional requirements to successfully identify the functions of electronic records management and civil records management that are relevant to the study.
- Subsequently, the analysis of relevant purposes and the obligation level for the development of the functional requirements for the study has also been recognized.
- Thus this framework can be used as a reference when designing electronic recordkeeping systems for Superior Courts of Malaysia.





# ***THANK YOU***

*The willingness to  
work hard remains  
one of the key ingredients  
for success  
(Merrill Douglass, 2002)*