

**Electronic Filing Committee  
Technology Subcommittee  
Meeting Minutes  
July 17, 2009**

Subcommittee Members Present:

Greg Cox, Co-Chair  
Stephanie Theel, Co-chair  
Tim Mulcahy  
Todd Heitschmidt  
Larry Zimmerman  
Kevin Beckwith  
Tyler Adams (Phone)

E-Filing Committee Members Present:

Kelly O'Brien  
Steve Berndsen  
Angela Callahan  
M.J. Willoughby  
Ron Keefover  
Senator Tim Owens

Subcommittee Members Absent:

Kathie Garman

The meeting commenced at 10:00 a.m. with introductions.

**Topics for Discussion**

- I. Discuss and review data elements used statewide with emphasis on data and procedure differences on case types outlined by the Policy and Procedure Subcommittee (Limited Actions, Foreclosures, Traffic, Criminal/Juvenile Offender).
- II. Discuss what should be allowed to be e-filed: initial filings only or all filings on a case.
- III. Discuss the technical aspects of Supreme Court Rule 122 (Electronic Filing and Transmission of District Court Documents) including a discussion of Section D (E-signatures).
- IV. Discuss setting a date and parameters for a public forum for feedback on electronic filing.

**Recommendations**

- I. A granular list of elements will be generated of data elements needed for Limited Actions cases. The list should include the fields needed, whether it's required or optional, the

expected value of that field, the length of variable, and the format for each field. Also, need to get record layouts from JSI, Shawnee County, and Johnson County.

- II. It was decided that any considered e-filing system should have the technical capability to accept initial case filings and additional filings within a case.
- III. Ask the Policy and Procedure Subcommittee to determine whether there should be a single way of addressing digital signatures, with the recommendation of amending rule 122 in that regard. Stephanie and Greg will work on a list on what's currently being used now and send it to the other subcommittee members for review.
- IV. It was decided to proceed with determining recommended parameters for a public forum to address e-filing topics.

### **Discussion Notes**

- I. Steve Berndsen discussed the criminal/juvenile offender procedures for FullCourt. He distributed a sheet outlining the data elements that are passed back and forth between the FullCase (prosecutor) system and FullCourt. The way the two systems communicate is when initial filing data is submitted, it goes into a queue requiring user acceptance of the material before updating the database. Then information is passed back from FullCourt into the FullCase system. It was mentioned that Shawnee and Sedgwick Counties' prosecutors use JustWare for their systems. The communication is limited to one way out with this system.

Stephanie Theel passed out the data elements that are used for Shawnee County's Limited Actions e-filing. When the data elements are sent, the petition and summons are created for the attorney by the system. Case creation and updates are processed automatically by the case management system. Acceptance confirmations and case numbers are returned to the filer. The filer may then view the created documents on Shawnee County's imaging system. Edits are built into the system so there is no clerk intervention on the court's side until they go to docket.

Tim Mulcahy talked about Johnson County's procedures. He said that the DA's office is connected to the clerks' office. For criminal cases the DA fills out the prosecution worksheet and as soon as they get to charges it automatically goes to the court's system. After a case is filed all documents are in the system and any paper is shredded after three days. All parties are able to look at the case electronically if they have the security to see the documents. Civil filings are handled in a similar fashion. Certain cases are flagged for immediate attention. There is a lot of information on the cover sheet, and Johnson County includes additional categories that are not on the cover sheet for administrative purposes. When paper documents are filed, parties are automatically notified and if a service is to be done by the sheriff's office they are automatically notified as well. Service returns also result in system notifications. There is no paper exchanged between the clerks' office and sheriff's office.

Tyler Adams talked about the Federal Court's process. Generally, the clerks' office will process an electronically filed case from a queue for the initial filing. The filer is notified of the case number and may file subsequent documents.

The committee discussed an e-mail sent previously by Larry Zimmerman regarding the differences between counties when filing cases. It was noted that most of the differences are procedural in nature.

- II. The discussion centered on a high level description of system requirements.
- III. Stephanie stated that Shawnee County requires electronic filers to purchase a digital signature and register that certificate with the court.

Tim M. talked about Johnson County's method. They require an attorney to sign on with their bar number and a password. By hitting the submit button they are saying that they electronically sign that document and the attorney will get notification back that the submission was received. When the case is actually created, the attorney will get another notification with the case number, assigned division, and other such information.

Senator Owens talked about the subcommittee working on finding a way to address any abuse of the system and how to catch violators. Also, there should be uniformity across the state, attorneys should be properly trained, and what things need to be done legislatively for implementation.

Ron Keefover asked about public access to e-filed cases. The subcommittee determined public access will be addressed as the e-filing project progresses.

The subcommittee talked about asking the Policy and Procedure Subcommittee to recommend one type of e-filing digital signature. Senator Owens commented that if the Policy and Procedure Subcommittee determines there should be a standard digital signature, this subcommittee should provide a technical recommendation as to which one is adopted. Senator Owens suggested that options and recommendations accompany policy question referrals. The budgetary impact of various options should be part of the analysis.

- IV. Discussion centered on topics for a public forum. Multiple topics related to e-filing would likely be discussed, including topics from other subcommittees. Coordination between subcommittees is recommended to define parameters prior to setting a date for a public forum.

Greg Cox mentioned that a master document outlining the recommendations made so far should be created for reporting to the full E-filing committee.

**Items for September 11, 2009, Agenda:**

Kelly O'Brien will check with JSI to see if they have a standard record layout for e-filing. He will also look at Chapter 61 cases on FullCourt to see what is needed to file electronically.

Stephanie and Greg will put together a document that is a draft e-signature options, recommendations, and cost estimates for the committee to review. This will be e-mailed to subcommittee members prior to the next meeting.

Chapter 61 Limited Actions standard data elements and procedures will be combined for subcommittee members to compare any data and procedural differences that exist between courts.

Tyler Adams will demonstrate the federal court system.

**Next meeting:**

Friday, September 11, 2009, at 10:00 a.m., Court of Appeals Courtroom, Judicial Center.