

**Electronic Filing Committee  
E-Filing Finance Subcommittee  
Meeting Minutes  
July 9, 2009**

Subcommittee Members Present:

Steve Grieb, Co-chair	Gordon Lansford, Co-chair
Hon. James Fleetwood	Don Troth
Virginia Taylor	

E-Filing Committee Members Present:

Kelly O'Brien  
Steve Berndsen

Others Present:

LeAnne Springsteen, OJA  
Deb Hipp, Courthouse News Service  
Richard Gannon, Kansas Press Association

**Topics for Discussion**

Discuss information about e-filing experiences of other states.

- Time duration for development and installation of their e-filing systems.
- Costs to develop and install same.
- Possible funding sources.

Discuss e-filing charge structures and methods used in other states.

Review discussions with County Commissioners and/or the Board of County Commissioners concerning the project.

Review potential grant opportunities.

**Discussion Notes**

Gordon Lansford said he has talked to a couple of national organizations but not any other states about e-filing systems.

Steve Grieb left messages with contacts in other states about their e-filing systems. He is awaiting responses.

Judge Fleetwood asked about charges and the fact that attorneys may be concerned about paying an e-filing surcharge or other additional fees. He asked if there are other states that have gone statewide with their e-filing system. Steve Berndsen mentioned that several states are moving in that direction, but he is unaware of any fully implemented statewide system at this time. Kelly O'Brien said states may be surveyed to determine what e-filing fee structures are being used.

Gordon felt that ongoing costs for e-filing should be included in with the filing fees.

Steve Grieb inquired about whether to make the system mandatory or non-mandatory as this will be a factor in determining the fees that will need to be charged. It was questioned whether smaller districts would get behind e-filing if it's mandatory. Kelly said it's a possibility that they would not; however, the issue of not having to travel may make it more attractive to some attorneys. All courts will need to be behind this to make it successful. Getting judges onboard is also vital. Steve Berndsen said the experience with implementing the FullCourt case management system throughout the state demonstrated that courts initially resistant to change recognized the benefits of automation after hearing how well the technology worked in other courts.

Steve Grieb mentioned that the limited availability of in-house technology personnel in the majority of courts mentioned at the most recent Technology subcommittee meeting. Kelly stated that one recommendation from the recent meeting was that technology staffing levels would need to be at a level to provide appropriate support for the e-filing system. He also stated that there are many e-filing products available now which wasn't the case a few years ago.

Steve Berndsen said that some companies will front all the costs associated with their e-filing systems and receive their compensation by charging users as filings are submitted. The committee members did not feel that would be a good option.

Kelly told the subcommittee that the initial cost of the system will be substantial, but system maintenance fees may end up costing more than start up costs over time. Money will need to be generated to keep the system up and running over time. It was mentioned that a possible annual or monthly subscription fee, or a document or case filing fee may have to be added on to a filing fee. He stated that it's too soon to determine what the actual costs will be. He did add that it will most likely be necessary to offer an Automatic Clearing House (ACH) service or direct deposit system for electronic checks.

Don Troth stated that Shawnee County has been good about providing funds needed for the courts. He also stated that Shawnee County has been discussing the possibility of starting to use the FullCourt System.

Steve Grieb mentioned recent contact with Professor Hoeflich, University of Kansas, regarding possible funding sources. Professor Hoeflich suggested the State Justice Institute as a potential funding source. Other grant funding opportunities were discussed.

Steve Berndsen updated the subcommittee on the recent grant application submitted for the Justice Assistance Grant (JAG) Program. This grant request will cover costs of Electronic Filing Committee activities through the end of 2009. Gordon thought the timing of the grant request was good and that the grant recipients would be determined by July 20, 2009. Kelly thought that JAG money might be available next year also.

## **Next Meeting**

August 28, 2009, 1:00 p.m., Basement Conference Room, Kansas Judicial Center.