

**Electronic Filing Committee  
Technology Subcommittee  
Meeting Minutes  
February 12, 2010**

Subcommittee Members Present:

Greg Cox, Co-Chair  
Stephanie Theel, Co-chair  
Tim Mulcahy  
Todd Heitschmidt  
Kathie Garman  
Kevin Beckwith  
Tyler Adams

E-Filing Committee Members Present:

Justice Marla Luckert  
Kelly O'Brien  
Steve Berndsen  
Steve Grieb

Subcommittee Members Absent:

Larry Zimmerman

Guests Present:

Mike Stewart, Chief Information Officer, Secretary of State's Office  
Heather Wilke, Attorney, Department of Labor  
Deb Waylan, U.S. District Court  
Jason Oldham, Chief Deputy Clerk, Appellate Clerk's Office

The meeting commenced at 10:00 a.m.

**Topics for Discussion**

- I. Discuss Electronic Signatures and Identity Management Policies and Technology – Mike Stewart, Secretary of State's Office
- II. Johnson County Electronic Filing Update
- III. RFI Update and Next Steps

**Recommendations**

No recommendations.

## Discussion Notes

### I. *Discuss Electronic Signatures and Identity Management Policies and Technology – Mike Stewart, Secretary of State’s Office*

Mike Stewart from the Secretary of State’s (SOS) Office explained what is currently being used in Kansas for electronic certificates. There are about 1,800 currently in use throughout the state in conjunction with the Kansas PKI. The Department of Revenue is the largest user for their e-lien application for titles. They have an online application for dealers and each one is issued a certificate.

The overall PKI structure was created to provide the option of a digital certificate in Kansas for digital signatures on documents. The digital signature provides validation for a document that it didn’t change and you can prove who signed it. It can also be used as system authentication for signing documents. Secretary of State uses it for authentication into a system.

The SOS office uses tokens to access their system. This allows them to use any PC that has the client software (E-token Client) installed. The Department of Revenue uses the browser certificate for their users. The cost of the token is \$45 each and the cost of the certificate is \$45 per year, per user.

Other Kansas users include: Wolf Creek Nuclear Power Plant and the K-State Bioscience Lab. The Attorney General’s Office and the Board of Tax Appeals are both looking into digital signatures for PDF documents.

Some challenges experienced by current users included educating people on how to use the system. Also, it’s a technical process so it involves installation overhead and user support in place. The renewal cycle also creates support issues.

The PKI/Identity Management committee is currently looking at standards for identity management in the state system. The committee so far has concentrated more on the electronic signature issue, so there has not yet been a lot of research done on the standards.

On documents with multiple signatures, after each signature the document is locked down so that the existing signatures cannot be altered. Each signature should be date and time stamped. Each time a document is opened the signatures will be validated.

Currently an outside entity, such as a law office, cannot be part of the PKI system. The vetting process for outside subscribers would be difficult. Also an E-Notary system is not yet in place.

## II. *Johnson County Electronic Filing Update*

A committee was created to address any issues or problems that may arise with Johnson County's new e-filing system. The committee consists of representatives from seven law firms, three judges, a clerk's office representative, and IT representatives.

Their system is driven towards what the attorneys would like and what the judges feel is feasible to do. The attorneys unanimously wanted notifications of every document filed in the clerk's file on their cases. They also want to be able to change fields such as address, phone number, and e-mail address on the website. Along with that they requested the ability to have two e-mail addresses for notifications. One is a primary for the attorney and one for their assistants.

Currently, they're doing chapter 60D, foreclosures, and notifications to the attorneys. They've been ready to open it up so that any filings in civil would notify the parties. The judges put a hold on that because they wanted to let the attorneys know first that this was coming, and since there are 2,000 attorneys in their database, they wanted to verify the addresses. They are communicating with the attorneys through a listserv. They are currently about two weeks away from notifications on civil cases. They expect to roll this out in June to pilot law firms.

They are almost ready to do e-filing with documents after the case is created. The biggest problem is creation of the case. For errors on over-the-counter filing, the clerk currently fixes the minor ones, such as incorrect caption. If it is more major than that, then they return it to the attorney for correction. For e-filing, the clerk will have a review queue where they can fix simple flaws and send it through the system, or, for major flaws they will reject it back to the attorney with comments on why they rejected it.

The committee has met once. The majority of communication has been through e-mail. They plan to meet again in late March or early April for demonstrations. One issue discussed was training for attorneys. Attorneys requested that it be kept simple and also that their assistants need to be trained also. Training formats suggested were the bar luncheon and setting up training at the courthouse for groups of 15 to 30 people. Payment types is another issue currently being discussed. Currently Johnson County is sending the parties the documents. They have yet to decide if they will continue this practice or just provide the link to access any documents.

## III. *RFI Update and Next Steps*

Steve explained that Division of Purchases, who received and compiled all the RFI (Request for Information) responses, said that any discussion about the contents, merits, or vendor details need to be restricted to committee members. Also, any open records requests related to the RFI or any part of the purchasing process needs to be directed to Jill Martin with the Kansas Division of Purchases and reference RFI #12781. The records will become open for public review when a resulting contract is signed, if the

agency chooses not to pursue the subject matter through the procurement process, or all proposals are rejected.

The next step is the RFP (Request for Proposal) and they're looking to align the timing of that along with the grant process. They plan to have a grant request ready by late April. If the grant is awarded, the monies would be available July 1.

The open meeting adjourned. Committee members only reconvened to discuss the RFI submissions in detail.