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CAROL G. ORSEN  
CLERK APPELLATE COURTS


IN THE SUPREME COURT OF THE STATE OF KANSAS

ADMINISTRATIVE ORDER NO. 123

ADMINISTRATIVE ORDER ADOPTING TECHNICAL STANDARDS  
GOVERNING ELECTRONIC FILING OF DISTRICT COURT DOCUMENTS

The attached technical standards, effective July 15, 1997, permit implementation of a pilot electronic filing system in Shawnee County District Court.

BY ORDER OF THE COURT this 7<sup>th</sup> day of July, 1997.

  
KAY MCFARLAND, Chief Justice

Attachment

IN THE SUPREME COURT OF THE STATE OF KANSAS

TECHNICAL STANDARDS GOVERNING  
ELECTRONIC FILING OF DISTRICT COURT DOCUMENTS

- a) The following technical standards, effective July 15, 1997, are mandatory requirements which permit implementation of a pilot electronic filing system in Shawnee County District Court. The standards are phrased as functional requirements that any electronic filing system must meet; there may be a variety of technical implementations by which each functional standard may be met. The standards focus on ensuring the integrity of the court record and providing a capability for filing that is at least as good as existing paper systems.

b) Electronic Filing

Electronic filing is the process by which information required by the Court is delivered by electronic means rather than in the conventional paper form. This includes any documents which normally become part of the case file, whether submitted by the Court or the litigants. Electronic filing, for the purposes of these standards, does not include noticing from the Court or between counsel. It also does not include the process of disseminating orders from the Court.

c) Document and File Format Standards

- 1) Documents filed electronically shall comply with all applicable court rules of the Kansas Supreme Court and of the receiving court regarding form and content.
- 2) All documents filed electronically must be capable of being printed as paper documents without loss of content or appearance.
- 3) Electronic documents must be stored in, or convertible to a format that can be archived in accordance with specifications set forth in Kansas Supreme Court Rule 108.
- 4) Electronic documents must be retained in the electronic format in which they are submitted. Documents submitted to the court in paper form may subsequently be imaged to facilitate the creation of an electronic case file.
- 5) Every implementation of electronic filing must accommodate submission of non-electronic documents or exhibits.
- 6) File stamp will be placed on the first page of every original document / petition.

d) Signatures

- 1) A digital signature is a computer-generated electronic identifier that is:
  - A) intended by the party using it to have the force and effect of a signature;
  - B) unique to the party using it;
  - C) capable of verification;
  - D) under the sole control of the party using it; and
  - E) linked to data in such a manner that it is invalidated if the data is changed.
- 2) Digital signature standards based on public-private key encryption technology may be used to authenticate filer identity and to ensure the integrity of a document's content.
- 3) An electronic, digital signature contained in an electronic court filing will be treated as an original signature and has the assurances of a signature under K.S.A. 60-211. An electronic signature contained in an electronic document originating from a clerk of a court shall be treated as an original signature and has the assurances of a signature under K.S.A. 20-365.

e) Authorization of Electronic Filers

- 1) Persons intending to file documents electronically with a district court shall follow the district court's established procedures for enrolling in the electronic filing system. The district court may request information necessary to establish that person as an authorized system user. The information shall include:
  - A) the filer's public key which will serve to authenticate the filer's future electronic transmissions;
  - B) the filer's full name, business address, phone number, e-mail address and Kansas Supreme Court registration number if the filer is an attorney;
  - C) the name and account number of the filer's financial institution which will be debited to pay any required case and electronic filing fees. Lack of funds for bank draft will be treated the same as a non-sufficient fund check.
- 2) Payment of bank charges for debit transactions will be paid by the court from interest earned on the court bank account per Supreme Court Administrative Order 30.

- 3) No person shall file documents electronically with a district court until the filer has received confirmation and registration approval from the district court.
- 4) Payment of court costs through the debit transaction referenced in (e)(1)(C) above shall satisfy the statutory requirements for payment of court costs as stated in K.S.A. 61-2501 and K.S.A. 60-2001.

f) Document and System Security Standards

- 1) A mechanism must be provided to ensure the authenticity of the electronically filed document. This will include the ability to verify the identity of the filer, and the ability to verify that a document has not been altered since it was filed.
- 2) The authentication private key shall remain under the exclusive control of the attorney and will be used only by that attorney. If security of the public/private key pair is compromised, the attorney will promptly notify the district court, will discontinue use of the compromised key pair, and will replace the compromised key pair in the court authentication and registration process.
- 3) If a court implements an interactive electronic filing process, the court must control interactive access to the electronic filing system via a user authentication process. When an electronic communication channel is used, the log-in process must be secured via use of a telephone connection directly to the court, a secure communications channel, or other secure means.
- 4) Media capable of carrying viruses into court computers (e.g., floppy disks and electronic mail) must be scanned for computer viruses prior to processing.
- 5) It is necessary to isolate access to computers used for electronic filing from access to other court networks and applications.
- 6) Computer systems used for electronic filings must protect electronic filings against system and security failures during periods of system availability. In addition, they must provide normal backup and disaster recovery mechanisms.

g) Electronic Filing Process Standards

- 1) Court computers shall be available on a 24-hour basis to receive electronic filings. This provision does not prevent the Court from providing for normal repair and maintenance of the receiving computer.

- 2) All electronic document submissions must generate a positive acknowledgment that is given to the filer to indicate that the document has been received by the court. The positive acknowledgement must include the date and time of the document receipt and a court-assigned document reference number (case number).
  - 3) Electronic filings received by the court shall be deemed filed as of the time the transmission ends and the court computer provides acknowledgement to the sender of the successful transmission of the electronic document.
  - 4) Electronic filing systems must provide mechanism for quality assurance and quality control of the submitted documents and case management data by both the court and the filer. The court will provide notice to the filer if a transmission is received with errors.
  - 5) Adequate public access to electronically filed documents must be provided.
- h) The court may provide the ability for pro se filers to file electronically.