

## Implementing a Successful eFiling System



An implementation that is seamless, easy, and readily adopted by filers requires a partnership. Ultimately, with an eFiling front-end solution, the Court and the Clerk's Office depends on the eFiling company to manage the role of education, provide customer support, facilitate communication, ensure reliability, and provide guidance through subject matter expertise and leadership. In collaboration with many of the attorneys, judges, and clerks we partner with, we have developed a high-level list of some key success factors to be considered when implementing an eFiling solution.

### 1. Address Internal Court Operation

New automated processes for eFiling, case management and document management must meet the needs of the court clerks, judges, judicial staff and IT. Some essentials for consideration are: calendaring, record retention, disaster recovery, reliability, security, accuracy, on-demand access, search and retrieval capability and timeliness.

### 2. Know All Costs Involved

Whether you are creating an in-house system, working with one vendor or multiple vendors, know the project costs. As a general rule, eFiling systems should save the law firm an average of \$70 a filing with improved productivity.

### 3. Consider All Types of Filers

The profile for legal eFilers is broad including all sized firms with varied practice types; government entities, Pro Bono; indigent; legal aid organizations, Pro Se; court reporters; process servers; and more. Combining the disparate needs of the filing community with numerous court jurisdictions and case types, means many factors must be considered.

### 4. Follow Industry Standards

Whether building or buying a solution, industry standards must be followed. This ensures data integrity, accuracy, and the ability to expand freely among system interfaces when applications evolve. A preferred solution is turn-key, open and extensible and offers plug and go interfaces. Look for the following legal industry standards: National Information Exchange Model (NIEM), Global Justice XML Data Model (GJDXM) and Legal XML.

### 5. Initiate Change and Access

Rules of Procedure must be updated to address the changing times of electronic filing such as electronic signatures, time stamps, electronic service to opposing counsel, certificates of service, process service and summons/citations. Additionally, determining how electronic access is provided for the docket, court calendar, and case status must be defined.

### 6. Easy to Use, Reliable and Intuitive

The attorneys are the active users of the delivery mechanism to the clerk's office and the court. Therefore, it must be fast, reliable, easy to use, intuitive, and properly supported 24/7 or the system will fall short.

### 7. Training, Education & Support

Typically the eFiling company becomes an extension of the court for training, education and support. A successful program offers participants not only start-up and on-going training opportunities, but online resources, integrated help, and live support. The preferred eFiling partner handles the education element, and ultimately fosters confidence and trust in the process.

### 8. 360 Degree Communication Link

The eFiling solution is the conduit of communication between the parties in the case and the court. The system must provide printable receipts, timely notifications, document exchange among parties, proof of delivery, time/date stamped pleadings, and real-time access to case information. Having a web-based, timely, reliable and accurate communication is paramount.

### 9. Offer a Pilot Program

Implementing a new program can be challenging and disruptive. Initiating a pilot program enables a controlled transition allowing everyone in the process to adjust to change in a less hectic environment and issues to be addressed proactively with less impact to the overall project.

### 10. Forge a Partnership

Forging a partnership among the eFiling company, the judges, clerks and attorneys is imperative to success. Inevitably, there are challenges that must be addressed quickly. Your eFiling partner should be an expert in eFiling and bring knowledge and experience to make the process seamless and efficient for all involved.