

eFiling for Courts Modernizes the Travis County, Texas District Courts

GARY MIGLICCO & JUDGE JOHN K. DIETZ

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Judge John K. Dietz, Local Administrative Judge, 250th District Court, Travis County, Texas, received his B.A. in 1970, his M.A. in 1973 and his J.D. in 1977 at The University of Texas. He was an Administrative Assistant with the Office of the Attorney General, an Administrative Assistant to Senator Lloyd Doggett, worked as a Prosecutor with the Special Crimes Division of the District Attorney, and was in Private Practice until his election in 1991.

Paper—or more precisely, too much of it—is a significant problem for Texas courts. District and county courts across Texas are faced with large volumes of judicial paper processed each day and lack efficient methods for handling the increasing volume. This buildup of paper creates serious processing challenges for court personnel and puts a significant strain on facilities as courts must constantly search for space to file and store legal documents in buildings already filled to the brim. This strain on resources ultimately results in higher costs for the courts, the filers, and the taxpayers.

The manual, paper-based filing process itself also creates headaches (and papercuts) for clerks and court staff who spend an inordinate amount of time performing the many repetitive and time-consuming tasks required to complete a paper filing. The clerk must review, stamp, barcode, un-staple, scan, and index each document received. These age-old, traditional processes often result in a lengthy delay between

the time a document is filed and when it is available for review by a judge, as well as create the potential for documents to be damaged, misplaced, or even lost.

The Travis County District Courts in Austin, Texas were among those experiencing these very issues. The volume of civil filings had increased to the point that the District Clerk's office could no longer maintain efficient filing, circulation, and storage systems. Further complicating efforts to improve the filing space issues was the requirement that the files must remain accessible to all parties in a case including civil district judges, attorneys, litigants, and court staff. Although the Courts made

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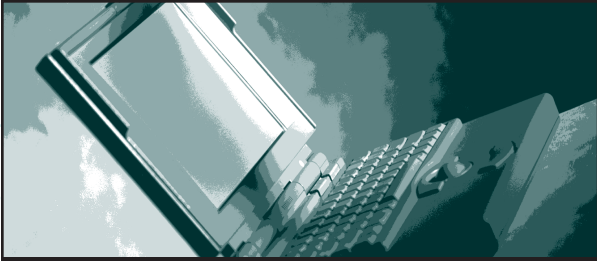
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adjustments to try to solve the filing space and access problems, these changes only temporarily improved the situation but did not effectively address the underlying issues of large volumes of incoming documents, inadequate filing space, and impaired access to records. Filing paper at the Travis County courthouse also created hassles for attorneys and legal staff. The lack of available parking spaces alone was enough to wreak havoc for those trying to meet a filing deadline before the offices closed for the day.

Determined to find a better solution that accounted for both storage and concurrent access, the judges and clerk requested that the Electronic Government Committee research electronic filing of court documents in an effort to deal with the immediate and long-term problems in management and retrieval of court records. The Courts created an E-Filing steering committee to examine alternative methods to manage and deliver these documents. In 2002, the steering committee published a report recommending a joint solution of electronic document imaging and electronic filing and detailed a phased approach to implementation. Electronic data imaging would allow for the conversion of all civil court documents to electronic images that could be stored on a file server rather than in a file room, while electronic filing would enable attorneys across the state to file court documents quickly and easily via the Internet.

The goal of Phase One was to implement a functioning electronic Document Management System (DMS) which would integrate with the existing Case Management System (CMS), thus improving the Clerk's ability to fulfill the statutory responsibilities of providing access to the required records. Vista Solutions Group was selected to implement the DMS which enables the Clerk's staff to electronically store case management data and documents, and make them accessible to the network of attorneys, judges, court staff, and the public. The DMS allows for concurrent access by multiple users in various locations; improves compliance with mandated conservation of records; enhances the security and integrity of records; and increases the efficiency of civil court document retrieval by judges. The system also allows staff

to place court documents into case files the same day they are received and eliminates the manual transport of hardcopy files in the courthouse or to a higher court.

With Phase One successfully implemented, the steering committee proceeded with Phase Two – implementation of electronic filing. The goal of Phase Two was to employ a solution with low upfront costs that would enable electronic, Internet-based filing; accelerate the case filing process; reduce the amount of paper that needed to be processed; meet County and State rules electronic filing rules; and interface with the court's new document management system.

After researching their options, the Courts engaged BearingPoint to deploy, host, and maintain the Courts' electronic filing system with Texas-Online eFiling for Courts.

TexasOnline, the official eGovernment web portal for the state of Texas, introduced eFiling for Courts as the statewide eFiling solution for Texas in 2004. Developed as a secure, easy-to-use system that streamlines and manages the two-way flow of information among attorneys, legal professionals, clerks, court personnel, and judges, eFiling for Courts enables filers and clerks to process documents and fees efficiently. This unique open-model system, the first of its kind, allows attorneys to use the Electronic Filing Service Provider (EFSP) of their choice to file cases in any participating court in the state of Texas.

The eFiling for Courts Electronic Filing Manager (EFM) serves the courts by receiving the filed documents and fees from multiple EFSP mailboxes and delivering them to the appropriate courts. The electronic documents and the associated electronic data can also move seamlessly into the court's document management system (DMS) and/or case management system (CMS), thereby eliminating the printing, scanning, duplicate data entry, and costly paper handling and storage that typically results from a manual, paper-based filing.

In January 2006, eFiling for Courts was successfully introduced in the Travis County District Courts as a pilot project and moved into full production in the civil and family courts in June 2006. The implementation of electronic

filing allows the Clerk and her staff to experience first-hand the emerging reality of a paperless court ... and they like it!

Using the eFiling for Courts system, the Clerk's staff processes documents electronically and exports them directly to the court's existing DMS. This interface allows the DMS to barcode, index, and store each electronic filing automatically, thereby reducing the amount of time that the Clerk and court personnel normally spend on these activities. The docketing data can also be moved directly into an existing CMS. From the Clerk's perspective, eFiling for Courts provides the greatest benefit when used in concert with a DMS because there is never any reason to convert an electronically filed document into paper.

To illustrate the impact that eFiling for Courts has had on the District Courts, the Clerk's office measured the time required to process a manual, paper-based filing versus an electronic filing by randomly selecting cases that had been filed in paper and electronic formats. Manually, the time required to process a filing – from receipt of the document until it was available to the judge in the DMS – was several hours, over two to three days. With eFiling for Courts, the filing was available to the judge via the DMS in less than 30 minutes.

eFiling for Courts provides several benefits for the District Clerk's office.

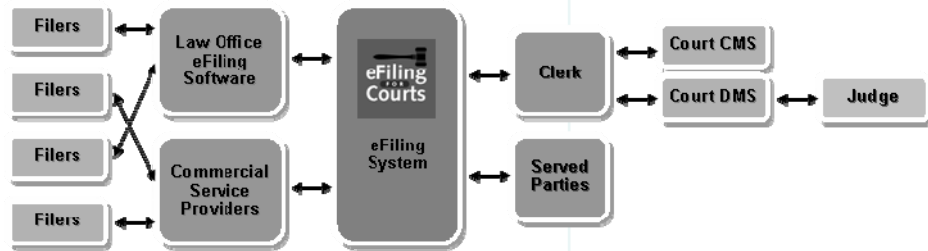
Reduced scanning. Documents are delivered in electronic format, ready for uploading to an existing case, document, or imaging management system.

Automatic fee calculation. eFiling for Courts reduced problems with incorrect fees that tend to occur with manual filings.

Scheduling. The Clerk's office can process filings on a more predictable schedule.

Direct payment of fees. There are no check handling or credit card problems.

eFiling for Courts has not only helped the Clerk's office become more efficient, it has benefited the judges as well. The interface between eFiling for Courts and the DMS offers faster processing and storage of electronically filed documents. This allows judges to retrieve and view documents more quickly and easily than paper filings, generally within minutes rather than days. Since the Clerk requires filings to be processed within 30 minutes of receipt, on average, the filing moves from the attorney to the bench within one hour, regardless of the filer's



location. This is particularly relevant in cases involving critical issues concerning children or emergency situations.

eFiling for Courts benefits filers as well.

Convenient. Attorneys can eFile 24 hours a day, 7 days a week from any location with Internet access.

Flexible. All standard word processing document formats are accepted.

Responsive. Filers receive an electronic, file-stamped copy upon the clerk's acceptance.

Cost effective. eFiling is less expensive than producing, processing, and tracking paper.

Secure. eFiling for Courts meets state, national, and industry security standards.

With eFiling for Courts successfully implemented, Travis County now ranks second in Texas, behind only Harris County (Houston), in the number of filings processed electronically by the District Clerk each month. In fact, the district judges feel so strongly about improving the efficiency of the courtroom that they recently issued a standing order mandating eFiling and eService for designated case types in the District Courts. As

a result of the mandate, the Clerk's office has begun to receive electronically filed documents from across the nation, and as far away as Germany. As filers become more comfortable with eFiling, the judges expect to continue adding case types to the mandate order.

With the proliferation of email, the internet, cell phones, and even iPods, the spread of technology into the courts is inevitable. Harnessing technology helps the courts do their jobs more efficiently and is vital to the ongoing success of the court system. As the courts

handle ever-increasing caseloads, many of the familiar, trusted methods, including processing paper documents, are simply unable to adequately meet the demand. As leaders of the judiciary, it is imperative that clerks and judges understand that eFiling offers a viable means for improving the way courts conduct business. To that end, eFiling for Courts is operating effectively in 29 counties, modernizing the processes of over 260 courts, and successfully serving two-thirds of the population of Texas.