

## **e-Court Subcommittee Background and Overview**

### ***Context: Summary of Discussion from June 2, 2005, COT Meeting:***

Karl Heckart explained how courts are planning to maximize opportunities to better use and re-use digital information. He stated that culture and resistance to change are the hold-up rather than the e-courts technology itself. He proposed working together in the Branch to build on what we have today in an evolutionary approach having three parallel phases: 1) Court to court, leveraging the electronic appeal process; 2) leveraging prosecutors' information using the new Arizona Disposition Reporting System already in process; and 3) form-based attorney/public e-filing using standardized, interactive, statewide forms as the foundation to build upon.

**Motion:** A motion was made and seconded to create an e-court subcommittee to drive and coordinate the statewide evolution of e-filing. The motion passed unanimously. **TECH 05-07**

### ***Justice Berch's address to members of the newly formed subcommittee on September 22, 2005:***

Justice Berch delivered the charge from COT to the subcommittee. She asked members to oversee the business aspects of the evolution of electronic case filing in Arizona by providing solid policy direction. She said COT's expectation was that the group would oversee the business decisions, the change process, and the domain-specific plans to ensure success in three main areas: within the courts, within the justice community, and public/attorney to and from the court.

### ***Background: previously published documents related to e-filing***

Links to the complete documents appear on the subcommittee website at <http://www.supreme.state.az.us/cot/ecourts/>

## **ACJA 1-506 – Filing and Management of Electronic Court Documents**

**B. Purpose.** This section provides administrative requirements, standards and guidelines to enable Arizona courts to achieve these goals:

1. To allow the electronic exchange of documents within the court system;
2. To assure that courts carefully plan the migration to an EDMS and select a system that is secure, flexible, robust and user-friendly;
3. To assure that courts establish an EDMS to manage, receive, docket, distribute, retrieve and access all internally generated and electronically filed documents; and
4. To assure that all Arizona courts implement electronic filing systems uniformly.

**C. Authority.** Only the chief justice, the chief judge of each division of the court of appeals, and the presiding judge of the superior court in each county may implement, consistent with these requirements and Rule 124, Rules of the Supreme Court of Arizona, an electronic filing system in their respective courts.

The presiding judge of the superior court in each county may implement, consistent with these requirements and Rule 124, an electronic filing system in one or more justice courts or municipal courts within the county.

**D. Document Specifications.** Documents filed or delivered electronically shall comply with the following:

1. All documents shall be preserved so that the content of the original document is not altered in any way and the appearance of the document when displayed or printed closely resembles the original without any material alteration.
2. Documents shall be in a format that provides for browser accessibility and no material alteration to content or appearance. Documents shall be formatted in either:
  - a. PDF (Portable Document Format) version 2.x or higher; or
  - b. XML (Extensible Markup Language), after the supreme court adopts standards for its use.
3. Hyperlinks, bookmarks and other similar navigational functions shall only refer to other parts in the same document.
4. Graphics, multimedia and other non-text documents may be permitted as follows:
  - a. Documents in imaged or graphic formats (for example, pictures or maps) shall be in a nonproprietary file format (for example, TIFF, GIF, or JPEG) and shall comply with ACJA '1-504.
  - b. Other multimedia files (for example, video or audio files) shall adhere to established industry standards and shall be in a non-proprietary format (for example, MPEG, AVI, and WAV). Each court implementing electronic filing has the discretion to accept or reject any other video or graphic format.
5. E-mail communications may be used for receipt, confirmation, and notification correspondence, and, if permitted by a court's electronic document filing procedures, as a method of transporting documents.
6. An electronic filing system may provide fill-in forms for routine matters such as traffic citations or small claims filings. The forms-based electronic filing system shall be capable of reproducing or printing the form with the data supplied by the filer, however, courts are not required to preserve the form's text and data together in PDF. The forms-based electronic filing system shall comply with all other requirements of this section.

## **ACJA 1-505 Enterprise Architecture Standards**

**C. Arizona Judicial Branch Enterprise Architecture Standards.** The standards, published on the Commission on Technology (COT) Web site, are adopted and all courts shall comply with the standards except as provided in subsection E below (Gaining Exceptions). The current standards will be maintained on the Web site of COT.

### ARIZONA JUDICIAL BRANCH ENTERPRISE ARCHITECTURE STANDARDS

Adopted by Administrative Order 2004-0018 Last revised: 03/18/2004

ITEM

APPROVED STANDARD

User Interface  
Delivery Method for  
Public Access

Browser-based for both Microsoft Internet Explorer and Netscape

User Interface  
Delivery Method for  
Business  
Applications

To be determined.

Electronic Document  
Management

Hyland OnBase

Document Imaging	Kofax;
Data Exchange Model	JXDD 3.0.0.1 In conjunction with the Arizona Criminal Justice Commission's Arizona Data Dictionary. XML standard to be found at <a href="http://it.ojp.gov/jxdd/">http://it.ojp.gov/jxdd/</a>
Document Format	Tagged Image File Format (TIF), Portable Document Format(PDF), XML
Message Transport	MQ MQ
Data Transformation	MQSI, Data Junction; Cloverleaf (At the state level; not required at the local level.)
Data Routing/Publish and Subscribe	MQSI; Cloverleaf MQSI (At the state level; not required at the local level.)
File Transfer	FTP, MQ

## Supreme Court Rule 124, October 10, 2000

### **(c) Date and Effect of Electronic Filing.**

(1) An electronically filed document shall be deemed filed on the date and time that the document is accepted. Acceptance shall be determined by the court and shall be deemed to occur (i) on the date the filing was transmitted if the transmission began during normal business hours of the clerk's office and (ii) on the next day the clerk's office is open for business if transmission began after normal business hours of the clerk's office.

(2) An electronically filed document constitutes the filing of the original written and signed paper under the rules governing practice and procedure in the courts of this state. The court may require the party to produce the original of an exhibit that has been filed electronically. An electronically filed document as it resides on the court's computer, and print-outs of said document, shall be considered the original document satisfying the best evidence rule set forth in [Rule 1002, Arizona Rules of Evidence](#).

**(d) Electronic Delivery of Documents by the Court.** A court may deliver judgments, minute entries, orders requiring the signature of a judge or a clerk to be effective, and notices electronically, instead of by mail, to any party or any party's attorney who files either traditionally or electronically a consent. Such consent is effective in all subsequent litigation in that court involving the consenting party. A party or that party's attorney may withdraw such consent at any time upon notice to the clerk of the court filed either traditionally or electronically. An implementing court may adopt, by appropriate court rule, additional procedures relating to the e-delivery of documents, to the extent such additional procedures are not inconsistent with this Rule 124.

**(e) Electronic Service of Documents by Parties.** Any attorney or unrepresented party may consent to receive electronic service of documents from another party. Such consent shall be filed either traditionally or electronically and may be withdrawn at any time upon notice filed either traditionally or electronically.

**(f) Paragraph Numbering.** Paragraph numbering based on the system adopted by the Supreme Court for numbering appellate opinions shall be used in all electronic documents. Until such time as a uniform citation system with paragraph numbering standards may be adopted, electronically filed documents shall include numbers assigned to each paragraph in accordance with the following procedures:

- (1) Each paragraph of text shall be numbered consecutively.
- (2) The following portions of an electronic document do not constitute a new paragraph and therefore shall not be numbered:
  - (A) headings introducing sections of text;
  - (B) indented (blocked) text, including text quoted from opinions, transcripts, exhibits, pleadings, or similar sources;
  - (C) lists of cases, statutes, or issues;
  - (D) text immediately following indented text, unless such text begins a new paragraph;
  - (E) footnotes;
  - (F) appendices or other attachments.

(3) If indented text is from a source that uses numbered paragraphs, the numbers from the original source shall not be included in the indented portion but in the citation only.

(4) Each paragraph number shall be shown as, e.g., "¶ 1" and placed at the left margin. The number shall be followed by a tab at the tenth character.

(5) If additional text is inserted into a document after it is first filed and/or distributed, the new paragraph or paragraphs shall be numbered using the number of the paragraph immediately preceding the insertions and letters, e.g., "¶ 1a."

(6) If one or more paragraphs are deleted from a document after it is first filed and/or distributed, the text shall be replaced with the statement "paragraph deleted" following the appropriate paragraph number.

(7) If a supplemental document is filed, the paragraph numbering in the original document shall be continued.

(8) If referring to specific portions or passages in electronic documents which contain paragraph numbers, references shall employ the paragraph numbers in those documents.

**(g) Computation of Time.** The electronic delivery of documents by the court pursuant to paragraph (d) of this Rule and the electronic service of documents by parties pursuant to paragraph (e) of this Rule is complete upon transmission. If the electronic delivery or service of documents is completed on any day after 5:00 p.m. [Mountain Standard Time], then such documents shall be deemed to have been transmitted on the next day that is not a Saturday, a Sunday or a legal holiday. Whenever a party has the right or is required to take some action within a prescribed period after service of a notice or other paper and such service is made electronically, such service shall be considered service by mail for the purpose of computing time under any rule of procedure.