

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ARIZONA CODE OF JUDICIAL) Administrative Order
ADMINISTRATION § 1-506: FILING) No. 2017 - 75
AND MANAGEMENT OF ELECTRONIC) (Affecting Administrative
COURT DOCUMENTS) Order No. 2012-06)
_____)

An amendment to the above-captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on June 19, 2017, and having been approved and recommended for adoption,

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 1-506 is amended as indicated on the attached document. All other provisions of § 1-506, as originally adopted, remain unchanged and in effect.

Dated this 5th day of July, 2017.

SCOTT BALES
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 5: Automation
Section 1-506: Filing and Management of Electronic Court Documents

A. Definitions. In this section the following definitions apply:

“Browser” means a computer application that interprets hypertext markup language (HTML), the programming language of the Internet, into the words and graphics that are viewed on a web page.

“Electronic document management system (EDMS)” means a collection of computer software application programs and hardware devices that provides a means of organizing and controlling the creation, management and retrieval of documents through their life cycle. It may include workflow software which enables organizations to define routing and processing schemes to automate the business processes for document handling. It may also include imaging and optical character recognition (OCR) software and devices to support the capture, storage, and retrieval of document images from paper (“imaging”).

"Electronic filing (e-Filing) system" means a collection of software application programs used to 1) assemble, pay for, and transmit case information to courts (filing assembly system); 2) facilitate case related message exchanges between e-filers and courts (the Arizona court electronic filing portal); and 3) enable the review and transmission of clerk-accepted case information (clerk review) to the various systems of record (case management systems). In addition to the transmission and exchange of case information, court notifications, reports, and document retrieval enable case participants to remain apprised of the status of a case. ~~transmit documents and other court information to the court through an electronic medium, rather than on paper, most notably AZTurboCourt, but including local pilot systems being superseded by AZTurboCourt. An electronic filing system includes functions to send and review filings, pay filing fees, and receive court notices and information.~~

“Graphics document” means a picture or image (even of text) processed by a computer only as a single entity. Graphics files are not searchable by computers.

“IEC” means the International Electrotechnical Commission, an international organization that sets standards for electronics, headquartered in Geneva, Switzerland.

“ISO” means the International Organization for Standardization, a network of the national standards institutes of more than 150 countries coordinated by a central secretariat.

“Non-proprietary” means material (particularly software) that is not subject to ownership and control by a third party. “Proprietary” generally refers to vendor-owned material whose specifications are not public.

“Portal” means the Arizona court electronic filing system used to route and process case information between third-party e-filing systems and local court information systems.

“Render” means to convert digital data from an image or text file to the required format for display or printing.

“Text-based document” means a collection of characters or symbols that can be individually manipulated but are processed collectively to comprise a document. Text-based documents are searchable by computers.

B. Purpose. This section provides administrative requirements, standards and guidelines to enable Arizona courts to implement a uniform, statewide, electronic filing system and to achieve the reliable, electronic exchange of documents within the court system as well as between the court and court users.

C. Authority. Consistent with ~~Rule 124, Rules~~ of the Supreme Court of Arizona and related administrative orders, electronic filing is authorized as part of a uniform, statewide approach. All pre-existing, local electronic filing systems shall be transitioned into the ~~statewide system, portal AZTurboCourt,~~ using a timetable ordered by the supreme court in specific administrative orders.

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 rendered without any material alteration.
2. Text-based documents shall be in a format that provides for browser accessibility and high fidelity to the original and should be searchable. Documents shall be formatted in either:
 - a. PDF (Portable Document Format) version 2.x or higher;
 - b. Open Document Format for Office Applications, ISO/IEC 26300:2006 or subsequent; or
 - c. Open Office XML (OOXML), ISO/IEC 29500-1, -2, -3, -4:2008, or subsequent.
3. Hyperlinks to static, textual information or previously filed documents may be included within a document solely for the convenience of judicial officers, attorneys, and pro se litigants. Materials accessed via hyperlinks to locations outside the court’s document repository or included without use of the portal’s DocLink feature are not part of the original record since they ~~could~~ may become unavailable during the retention period of the filed document.

4. Bookmarks are allowed in documents. A bookmark shall only be used to direct the reader to another page within the same document. When multiple documents are contained within a single submittal, a separate bookmarked entry for each appended document shall be included in a table of contents.
5. 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 non-proprietary 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).
6. E-mail communications may be used for receipt, confirmation, and notification correspondence.
7. An electronic filing system, ~~such as AZTurboCourt~~, may provide fill-in forms for routine matters. Courts may accept electronically-filed Arizona traffic ticket and complaint forms from law enforcement agencies or affidavit of service forms from process servers. 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~~ Any forms-based electronic filing system shall comply with all other requirements of this section.
8. In accordance with ~~S~~supreme C~~ourt R~~ules 124 and related administrative orders, electronic, case-related documents shall be submitted exclusively through the statewide electronic filing portal, ~~AZTurboCourt.gov~~.

E. Authentication.

1. Authentication of document source. ~~AZTurboCourt~~ The portal shall contain an registration authentication system having sufficient security to verify ~~and authenticate~~ the source of electronically filed documents, ~~and~~ Any third-party systems interacting with the portal shall maintain current contact information for filers.
2. Authentication of documents. ~~AZTurboCourt~~ The portal shall indicate the date and time when submittal of each electronic filing occurred.
3. ~~Maintenance of electronic documents.~~

F. Maintenance of Electronic Documents. Any individual court maintaining electronic records shall employ local security procedures that prevent unauthorized access to, modification of, or deletion of the records. These procedures shall include all of the following, as a minimum:

- a~~1~~. Establishing written procedures to ensure the integrity of electronic documents, so that any copies produced may be regarded as true and correct copies of the original document;
- b~~2~~. Performing virus checking to ensure documents are free from viruses prior to storage on any device attached to the court's data network;
- c~~3~~. Employing procedures that ~~insure~~ ensure the availability of at least one other copy of the electronically filed document at all times;
- d~~4~~. Performing system backups at least daily;
- e~~5~~. Using recording media for storing electronic records that comply with industry standards;
and
- f~~6~~. Using non-reusable media for archiving court records electronically.

Courts placing case documents in an EDMS controlled by the AOC meet the above maintenance requirements.

~~4. Filing of Confidential and Sealed Documents.~~

G. Filing of Confidential and Sealed Documents. Courts shall employ standard keywords or metadata, as determined by the Commission on Technology's Technical Advisory Council, with associated security procedures to protect electronically filed or scanned confidential and sealed documents from unauthorized access.

FH. Communications. The statewide electronic filing system shall:

1. Provide for electronic filing via the Internet and
2. Provide for appropriate party, attorney, arbitrator, public, and governmental entity access, in accordance with Supreme Court Rule 123, using standard browser technology.

GI. Processing.

1. The statewide electronic filing system shall generate an acknowledgment receipt for electronically filed documents.

2. All case management and document management systems used by courts shall have automated interfaces with the statewide electronic filing system that will:
 - a. Provide and validate case management data;
 - b. Automatically docket e-filed documents; and
 - c. Automatically index documents as required for locating the document and facilitating integration with the case and document management systems. Indexing elements shall include, at a minimum:
 - (1) Full case number;
 - (2) ~~Document~~ Case management system document storage identifier;
 - (3) Restricted security indicator; and
 - (4) Sealed security indicator.
3. The official court record shall be the one stored by the clerk's or court's EDMS, whether in native electronic format or scanned into the system from paper. Unless otherwise directed by the ~~S~~supreme ~~C~~court, each standalone EDMS shall communicate case-related documents stored locally to the AOC's central document repository and receive documents from the statewide electronic filing system, prior to implementing electronic filing in the court.
 - a. Each court imaging paper documents shall comply with ACJA § 1-504 (C) and (D) to ensure usefulness of those documents for public access.
 - b. Each court having or implementing an EDMS shall coordinate the transfer of case-related electronic documents to and from the AOC's central document repository and electronic filing portal, respectively.

H.J. Periodic Review. These requirements are designed to be flexible to allow for technical innovations and shall be reviewed biennially by the Commission on Technology and updated to adapt to technological changes or changes in e-filing strategy.