

# WELCOME TO e-COURT

## Background

In the five-plus years since Rule 124 authorized pilot implementations of electronic filing in Arizona, the courts have been working hard to digitize information and maximize opportunities to better re-use that digital information. The Commission on Technology (COT) proposes to achieve faster results by having courts work together to build on what exists today in an evolutionary approach having three parallel phases:

1. Court to court filing, leveraging the electronic appeal process;
2. Leverage justice community information using a clearinghouse for case-related data; and
3. Form-based attorney/public e-filing using standardized, interactive, statewide forms as the foundation to build upon.

It has become apparent that technology itself is really not holding up more widespread adoption of electronic case filing and exchange of digital information – it's more limited by culture and resistance to change. It will take solid policy direction to courts to replace their old, familiar way of doing things with the new and unfamiliar. But change doesn't just happen; it requires an active change agent. The task is large enough to warrant having a body dedicated to drive and coordinate it. Not to craft the technical solutions, but to set the policy direction that enables those working on technical solutions to understand how they fit into a unified, statewide approach.

## Subcommittee Formation

At its June 2, 2005, meeting, COT acknowledged the time is right for providing needed direction to courts and created the e-court subcommittee. The subcommittee was charged with overseeing the business decisions, change process, and plans that enable change in the three areas above, keeping COT informed of their approach as they go. The **context** and **lifecycle** for the committee were then crafted and **members** were selected to representatives from all levels of courts in Arizona, as well as the State Bar. Justice Hurwitz was then asked by the chief justice to chair the subcommittee. The chair's approach to managing the magnitude of the endeavor was to chart a set of principles agreeable to all members against which to arrange the various aspects of potential projects and evaluate the effectiveness of solutions. COT subsequently ratified the approaches and principles at its March 3, 2006, meeting. The list may be supplemented over time but not reduced:

## Principles for Electronic Case Filing

- Approach: Courts should create a competitive, multi-provider environment under which any provider who meets the certification criteria will be able to file.
- Court users should be presented with a common look and feel no matter the jurisdiction. No litigant will have to operate multiple systems to file in various courts in the state.
- Courts are too resource constrained to provide extensive technical support themselves for filing attorneys and the public.
- For automated filing, only one interface will exist per case management system. Data must be exchanged bi-directionally between case management and e-filing systems.
- The path to success involves general consistency with national standards and cooperation between courts and private sector ventures.
- Privacy and access issues must be adequately addressed.
- While the conceptual model for e-filing includes criminal cases, the courts, not vendors, are responsible for criminal justice integration activities.

## Next Steps

- New requests for e-filing pilots will be routed through the e-courts subcommittee prior to obtaining COT approval. E-court will provide direction to current pilots as statewide solutions are solidified.
- Task-specific subgroups will be initiated to tackle specific policy and technical challenges needed to move electronic filing forward. Membership will be determined based on subject area.
- Measurements and timelines must be determined for various levels of courts and types of filing, based on the notion that if you desire improvement in an area you must set goals and measure progress.