

## **Report From Technology Committee AOC E-Filing Meeting February 27, 2009**

On Friday, February, 27, 2009 from 9:00 a.m to 12:30 p.m. a meeting called by the AOC was held at the Judicial Center to introduce the invitees, which included clerks, judges and attorneys, to the E-filing vendor and the overall design and implementation of the system.

The vendor is Tybera, out of Utah, and the system is called E-Flex. The vendor has installed systems in Delaware and Utah and in various counties throughout the country. Cliff Layman, Chief Information Officer for the AOC, said that after much investigation and travel to review the pros and cons of various systems, the Tybera model was the best available. The AOC is now finalizing the selection of the vendor who will provide E-Payment, for filing fees and costs. This system will also accept fines and fees for waivable traffic offenses and other costs.

The system will be installed in phases in pilot programs.

Phase I: limited counties, limited features, no document management, no integration to VCAP (case filing system now used by the clerks and AOC)

Phase II-IV: document management and extended features.

Time Frame:

Phase I within 4 months; only in pilot counties; Chowan and Davidson

Phase II – 4 months; scanning

Phase III – 4 months; document management; Wake County added as a third pilot county

Phase IV – 4 months break out to other counties with mandatory participation for all counties in less than two years.

Phase V – in the future; other additions and extensions made to the system.

During Phase I, the E-filing will be voluntary. If a case starts out in E-Filing the case will stay that way with clerks treating the E-Filing like a fax and print it out to the file. The system model chosen is attorney fee-free (except for the usual filing fees and costs). Initially, only Superior Court Civil and Special Proceedings foreclosure will be cases for the system.

Dallas Powell from Tybera made a power point presentation as to the basic components of the system.

1. Filers Interface: this is the public website. Attorneys will register and have passwords. PDF or TIFF programs will be used to file. Density will be managed 300 DBI; 25-50K. Adobe Acrobat Pro will be used to redact and keep the public from viewing documents under seal or redacted portions of the pleadings.
2. Court Review: this tool is for clerks and judges to participate electronically.  
**Judges will have to be computer literate to participate.**
3. External API: will allow attorneys to continue to use their present business model with E-Filing.

The AOC will have a training team for judges and clerks. Tybera will work with the bar (for a fee) to train attorneys.

### **Court Review- Clerk's Access**

After log in, cases can be assigned to a specific clerk. Case type will named; case security-code for VCAP set, fees paid, clerk notes, judge assignment for case or hearing, approve filing (making sure court costs and fees paid first); clerk can send filing back to sender if there is a problem. The courtroom clerk's minutes will be scanned into the system.

### **Judges Review Queue and Binders:**

In phase III, in the document management system, judges will be able to access these items after registration and log in:

1. Anything in the case that is pending for review
2. Any document in a case
3. Documents for review that are in the Queue
4. Binders can be generated for the pertinent pleadings and documents in the cases to be heard on that day or for that calendar. There will be an ability to generate orders electronically from the system.
5. There will be a scribble note box for short orders and rulings
6. Judges will be able to obtain an electronic version of the pleading, upload their order and send the order out electronically.

### **Lawyer's Access**

The attorney's would log in after they have established an account. The screen would have the following options: New Case; File to Existing Case; Filing Status; My Recent Cases; Notifications: documents coming in from other parties in a case. On New Case setting, the attorney will insert: The court, client number; party information, defendants, pleading and issues related to each party.

The system will tell the lawyer the status of the filing, whether it is awaiting approval; checking verification, checking for virus, after approval-status filed; and give receipt for payment for each filing within the case. The credit charges on the system interface will be there for a year on a month-to-month basis. The attorney can view it, download the information and allocate the charges to the client for that case.

### **Bottom Line:**

**E-Filing and E-Pay is here. The money is in hand. The implementation will be gradual but the estimated time for mandatory use throughout the state, barring any major problems, is less than two years. Hold on tight-this will be quite a trip.**