

# MONTANA STATEWIDE E-FILING

OFFICE OF THE COURT ADMINISTRATOR

## STARTING MONTANA E-FILING

### Pilot Projects Lead the Way

E-Filing pilots Phase 1 and 2 allow testing and “proof of concept” in a small subset of courts prior to deploying the system throughout the state.

The majority of IT projects the Office of the Court Administrator undertakes use a pilot phase to test and prove the viability of the program on a small set of stakeholders before expansion to the rest of the state.

E-Filing pilots will allow the OCA, as well as local stakeholders to assess the on-the-ground workability of the proposed temporary E-Filing rules, the system architecture and procedures. It also provides an opportunity to evaluate the document workflows that were developed by the major case groups.

Another important aspect of the pilot is to identify any gaps that may exist and any refinements that can be made. It allows us time to plan solutions to address the gaps and put in place as many refinements as possible.

## MAJOR CASE GROUPS

### Subject Matter Experts

An important aspect of designing a system to support all case types at all court levels is to work with as many individuals from as many perspectives as possible. While each of the pilot courts will provide a working group, we need to ensure that we have widespread participation from courts and filers representing various

situations across the state as we make critical design decisions. Judges with courts in multiple counties, courts with multiple judges, attorneys who may be working part-time as a prosecutor as well as having a private practice: all of these situations and people, and many others, need to be served.

To this end, we have

**Pilot sites include the Supreme Court, all courts in 4<sup>th</sup> Judicial District, the Yellowstone County Justice Court, all courts in the 10<sup>th</sup> Judicial District and the District Courts in the 5<sup>th</sup> Judicial District.**

## 2014 DEBUT

Pilot projects are edging closer with initial testing of the E-Filing system underway. After user acceptance testing, the first pilot to be deployed will be at the Supreme Court. We expect this will “go-live” with Phase 1 cases around the beginning of May. We expect the same extensive testing of the system for trial courts (general and limited jurisdiction) to be realized over the summer months with a pilot implementation date for the courts in the 4th Judicial District (Missoula and Mineral counties) in early fall 2014.

Phase 1 includes government to government filings which are “prosecutor-initiated:” criminal, child abuse and neglect, juvenile, and civil commitment (DI/DD) cases, as well as direct appeals and original proceedings in these matters filed in the Supreme Court.

Phase 2 includes general civil cases with attorney representation and introduction of a payment component to facilitate electronic payment and receipt of filing fees.

engaged Major Case Groups to assist in defining case and document workflows. These advisory groups, one for each of the major case types, consist of experts representing a broad cross-section from around the state. They assist us with defining the E-Filing requirements unique to the assigned case category including security, work flows and document templates, they

provide feedback on the temporary E-Filing rules, and help identify any specific gaps or issues and possible solutions.

We recently concluded our final Phase 1 Major Case Group meeting and will now prepare the draft Major Case Reports. These will go back to the participants and we will incorporate their comments into the final version.

We will continue to use their expertise to vet proposed E-Filing rules and other official documentation developed by the OCA during the course of the pilot relating to the targeted case category. We will also involve these groups as much as possible in our end-to-end user acceptance testing to ensure that the defined requirements are met.

## PUBLIC ACCESS REMAINS THE SAME

Montana's initial deployment of e-filing will not change public access to court documents. Access will remain as it has for decades – in the local clerk's office. Attorneys and members of the public may still request and view public court documents through the local court clerk's office. In order to create a fully accessible web-based public access site, which appropriately safeguards those cases that are designated as confidential by statute, significant upgrades are needed to the trial court case management system where e-filed documents are stored.

This means that members of the general public – including “data miners” - will not be able to use the E-Filing system to conduct broad searches of documents and cases within the system. Instead, when registered users (i.e. attorneys) search the system, the results will return only those cases for which the user is a party or an attorney on the case.

Documents (electronic and paper) will be located at the court. Public access to court records will remain as it is today; with the electronic records stored by and under the purview of the clerks of court.

The Supreme Court docket will remain on-line as it currently is presented with all orders and documents linked in the docket.

The Montana court system is seeking funding from the 2015 Legislature to upgrade the trial court case management system, which may provide an opportunity to develop and deploy a public-facing court access site. Rules would still need to be developed for a web-based public access site.