

Overview of Current System

Activities and Statistics

Infrastructure and Systems Activities

Upgrade to a **three-server cluster** in DEV and in PROD, thus providing the stability in program operation and load-balancing.

Adlib upgrade from old version to newest version. Implemented an alert to E-Filing administration when a filing has failed due to exceeding a time threshold. Other proposed Adlib upgrades in the preparation stages.

E-Filing upgrade to enhance logging for better, more prompt issue resolution.

FCE upgrades to enhance or resolve issues with the interface for clerk processing in FCE.

Other Accomplishments

E-Filing Guide published in 2020
Lawyer's Deskbook (pages 57-58)

Hired Judy Tice.

Created a set of videos for clerk
processing of civil e-filings. Looking at
far more remote training, the videos
are a great aid in cutting down training
time as well as building confidence in
the clerks.

Went live with Chouteau and Liberty
County District Courts. (v5 courts)

Went live with all the rest of the limited
jurisdiction courts in the Flathead. (FCE)

Flathead County Justice Court
Kalispell Municipal Court
Whitefish Municipal Court
Columbia Falls City Court

Brought Missoula County Justice Court
live completely remotely. Two phases:
Criminal first and then Civil.

Scheduled Activities

Schedules Disrupted...

June and July 2020

These months were previously booked, but we will regroup around one or more of the following activities:

Re-gearing our approach and materials toward doing remote-only implementations.

Contacting courts who are extremely eager to have e-filing:

Ravalli District
Havre City

Gallatin Justice
Asbestos Court

One or more of these courts could possibly be implemented remotely or with minimal personal involvement.

August 2020

FCE conversion at Yellowstone County District Court will trigger work with E-Filing.

We plan to use the Missoula Justice Court model of implementing in two phases: continue the existing case types (DC, DJ, DN, DI, DD) and then go-live with Civil e-filing after a few weeks.

The second phase of this project will take us into September.

September and beyond

Unknown.

We will continue to schedule E-Filing start-ups at FCE courts as we are able.

We expect that Yellowstone Justice will want to move to FCE, and possibly Billings Municipal.

We expect to bring FCE Automation Committee member courts up as a priority if we need to make a choice.

**Montana Supreme Court
-Filing Automation Committee**



Statistics as of 5/20/20

Active, Registered E-Filers:

- 1 Chief/6 Supreme Court Justices
- 1 Clerk of the Supreme Court
- 32 District Court Judges
- 17 Limited Court Judges
- 33 Clerks of District Court
- 1880 Prosecutors/Attorneys
- 109 Court Reporters
- 325 Case Participants
- 1376 Authorized Staff
- 1 System Administrator
- **3,781 total active users** (3,416 total active users at last meeting)

5/20/20 Filings Submitted	5/20/20 Number of Cases	Court	10/15/19 Filings Submitted	10/15/19 Number of Cases
45,004	3,152	Montana Supreme Court	38,687	2,778
103,008	12,731	Missoula County District Total	79,373	10,290
5,830	630	Mineral County District Court	4,292	478
35,982	10,659	Missoula Municipal Court	27,876	9,136
2,693	702	Mineral County Justice Court	1,921	511
11,572	643	Fergus County District Court	8,940	562
1,483	305	Fergus County Justice Court	1,113	247
26,001	5577	Missoula County Justice Court of Record	21,635	4707
1,717	341	Lewistown City Court	1,277	275
1,583	65	Judith Basin County District Court	1,164	55
956	182	Judith Basin Justice Court	714	146
11,339	3,781	Yellowstone County Justice Court	7,578	2,572
71,254	6,941	Yellowstone County District Court	40,605	5,237
38,880	5,549	Flathead County District Court	20,298	3,422
17,250	5,618	Billings Municipal Court	7,143	3,037
2,967	1,161	Hill County Justice Court of Record	728	372
26	12	Town Court of Superior	9	4
9	6	Alberton City Court	2	1
4,645	358	Hill County District Court	785	163
233	25	Chouteau County District Court –10/22/19		
15	3	Liberty County District Court – 10/22/19		
4,855	3,031	Flathead County Justice Court – 2/18/20		
671	344	Kalispell Municipal Court – 3/10/20		
203	69	Whitefish Municipal Court – 3/10/20		
79	45	Columbia Falls City Court of Record 3/10/20		
388,255	61,930	Totals	264,140	43,993

Montana Supreme Court E-Filing Automation Committee



Statistics as of 5/20/20

Active, Registered E-Filers:

- 1 Chief/6 Supreme Court Justices
- 1 Clerk of the Supreme Court
- 32 District Court Judges
- 17 Limited Court Judges
- 33 Clerks of District Court
- 1880 Prosecutors/Attorneys
- 109 Court Reporters
- 325 Case Participants
- 1376 Authorized Staff
- 1 System Administrator
- **3,781 total active users** (3,416 total active users at last meeting)

5/20/20 Filings Submitted	5/20/20 Number of Cases	Court	10/15/19 Filings Submitted	10/15/19 Number of Cases
45,004	3,152	Montana Supreme Court	38,687	2,778
103,008	12,731	Missoula County District Court *	79,373	10,290
5,830	630	Mineral County District Court *	4,292	478
35,982	10,659	Missoula Municipal Court *	27,876	9,136
2,693	702	Mineral County Justice Court *	1,921	511
11,572	643	Fergus County District Court ^	8,940	562
1,483	305	Fergus County Justice Court ^	1,113	247
26,001	5577	Missoula County Justice Court of Record *	21,635	4707
1,717	341	Lewistown City Court ^	1,277	275
1,583	65	Judith Basin County District Court ^	1,164	55
956	182	Judith Basin Justice Court ^	714	146
11,339	3,781	Yellowstone County Justice Court ^	7,578	2,572
71,254	6,941	Yellowstone County District Court ^	40,605	5,237
38,880	5,549	Flathead County District Court *	20,298	3,422
17,250	5,618	Billings Municipal Court ^	7,143	3,037
2,967	1,161	Hill County Justice Court of Record *	728	372
26	12	Town Court of Superior *	9	4
9	6	Alberton City Court *	2	1
4,645	358	Hill County District Court ^	785	163
233	25	Chouteau County District Court –10/22/19 ^		
15	3	Liberty County District Court – 10/22/19 ^		
4,855	3,031	Flathead County Justice Court – 2/18/20 *		
671	344	Kalispell Municipal Court – 3/10/20 *		
203	69	Whitefish Municipal Court – 3/10/20 *		
79	45	Columbia Falls City Court of Record 3/10/20 *		
388,255	61,930	Totals	264,140	43,993

* denotes FCE court ^denotes v5 court

Action Items from Previous Meeting

Items Not Requiring Vendor Intervention



E-Filing Bulletin Board

Search

Description	Date	Information	Status
Scheduled Maintenance	5/20/2020	There is some scheduled maintenance between 9:00 PM and 11:00 PM on May 20th, 2020. The E-Filing system will be unavailable during this time. Please plan your work accordingly.	Resolved
Scheduled Maintenance	5/19/2020	Tuesday morning, May 19th, there is a scheduled maintenance window from 7:00 AM to 7:30 AM. Please plan your work around this maintenance window.	Resolved
Maintenance Weekend	5/16/2020	State ITSD will be conducting maintenance activities on Saturday and Sunday, May 16-17, 2020. During this time, unexpected e-filing interruptions may happen as servers and software are updated and rebooted. We encourage you to avoid e-filing during this maintenance window if possible. The scheduled maintenance window is scheduled 5 AM to 5 PM on Saturday and 5 AM to 1 PM Sunday.	Resolved
Other	5/11/2020	Flathead County is reporting internet slowness which may be affecting all services including E-Filing. SITSD is currently working on resolving the issue for access to state networks.	Resolved
Scheduled Maintenance	5/9/2020	There is some scheduled maintenance between 9:00 PM and 10:30 PM on May 9 th , 2020. You may experience brief interruptions during this time. Please plan your work accordingly.	Resolved

Accomplished:
Bulletin Board

MONTANA COURTS ELECTRONIC FILING

Terms of Use

1. I have reviewed and will abide by all of the requirements found in the Montana Courts Temporary Electronic Filing Rules.
2. I agree to follow all applicable statutes, rules, regulations, and court orders, including without limitation, the Montana Rules of Civil Procedure and/or the Rules of Appellate

internet lines will not generally excuse an untimely filing.

10. The Court may suspend or discontinue the Electronic Filer's access to the E-Filing System in order to protect its security or to prevent damage, misuse, or fraud.
11. I agree to have the primary email address used for E-Filing registration added to the "E-File Alerts" electronic mailing list. I understand that I can unsubscribe at any time.

Accomplished:
Terms of Use
updated

Best Practices Guide

- Request subcommittee to be formed to finalize and publish

Trial Court Judge ability to e-file at the Supreme Court

- Investigation and testing have been done
- Awaiting “approval” from the e-filing vendor; may implement without

Context-Sensitive Help

- Only “information boxes” available without charge
- Have not done a walk-through of changes to make

Addition of Multiple Attorneys at Case Initiation



Partially
Accomplished

Display of Multiple Documents per ROA – FCE Courts

Clerk's Ability to E-File Documents at Their Own Court

Survey Monkey – Develop and Deploy

- Request subcommittee to be formed to develop

Draft New Rule: Cases from Which Attorney Must Withdraw

- Request subcommittee to be formed to draft proposed Rules

Nick Aemisegger: work on documents; discussion



Not Yet
Accomplished

Action Items from Previous Meeting

Items Requiring Vendor Intervention

Items Approved for Funding

- Adding notes in the judge review queue without first creating a draft filing
- Skin/mask the display of the role “Prosecutor” to display “Govt Attorney”
- Have Adlib (or similar program) strip metadata from all documents
- Option for Judge to select a specific page to sign
- Set a default court for e-filers who want one
- Display clerk’s comments to the judge in judge review queue
- eService notification is missing information
- In FCE clerk interface (still in review):
 - Omit Dismissed Parties
 - “Search by Name” in e-filing should only return results for active attorneys
 - Add Case Judge filter in Pending Electronic Filings queue
 - Modify e-filing processing page to display receipt number at top of page

Items Dropped from Consideration

- In Judge Review Queue, provide for ability to change a document without having the extra step to “replace”
 - This would require a Word plug-in on all end-user machines and change the document processing beyond what can be accomplished in the core product. Estimate to investigate-only is 40 hours. Total effort estimated to be around 1000 hours, but unknown until investigation.
- eService available to Trial Court Clerks
 - This would be a completely new utility and the vendor is not prepared to proceed with the full discovery process. The high-level estimate is assumed to be in the thousands of hours.
- Omitted from last meeting’s notes: Ability of a judge to designate a filing as “emergency” and to include a note to the clerk.
 - The cost estimate of 154 hours (\$18,480) was deemed prohibitive and without a funding source.



Creation of Subcommittees

Possibilities:

- Survey
 - Rules
 - Best Practices Guide
- 

COVID-19 Lessons Learned

Justice Shea/Committee/Staff Discussion



New Items from committee members/others

- E-Filing staff: “Disappearing” large filings; some large filings are failing but not generating a failure message; we are engaging both vendors.
- Amy Tolzien: Application API for MT Courts E-Filing – trying to find a replacement vendor for JustWare with interface to e-filing.
- Judge Allison: Can a judge legally extend TIA on DN cases? If not, the menu option should be removed.
- User enhancement requests:
 - Bethany Bender wants to see attorney listed on the Filing Information page.
 - Bethany Bender wants the Certified Date of Service field to default to “today.”
 - Joanna Mong wants to be able to submit filings from the draft queue.
 - Joanna Mong wants errored/rejected filing to be automatically deleted upon resubmission.

Montana Courts Electronic Filing

How Does E-Filing Work?

Electronic filing (e-filing) provides a secure portal to official court case records for the Montana Supreme Court and trial courts of all levels. It enables filers and courts to efficiently process documents and fees online and manages the flow of information among filers, clerks and judges.

- Filers log onto the secure e-filing website to file case-related documents and pay appropriate filing fees to any participating court.
 - Clerks Accept or Reject Submissions
Court clerks receive the electronically filed documents and associated fees for processing and acceptance, review the documents, accept the filings or return them for correction. The system returns a notification to the filer for the accepted and time-stamped documents.
The clerks may electronically route proposed orders and other documents to judges for their electronic review and signature.
-

Access the e-filing portal using this website: <https://mtefile.courts.mt.gov>

- Even if you are logging in with ePass Montana, you must use the website listed here.

Getting Help: Please use our information page for instructions, FAQs, videos and other information before calling: <https://courts.mt.gov/courts/efile>

- To contact the e-filing technical staff, email: efilingtechsupport@mt.gov or call 800.284.6017.

Temporary Electronic Filing Rules are found here:

<https://courts.mt.gov/portals/189/efile/instructions/registration.pdf>.

Participating Courts are those listed in the **Court Policy** document available from the main login page or at this location: <https://courts.mt.gov/portals/189/efile/docs/crt-policy.pdf>

- Consult trial courts' local rules to determine if e-filing is mandatory.

Internet Browser: Chrome is generally preferred. Have only one window open at a time to avoid errors.

- Please log off the system (not merely close the tab or window) when you are through using it.

Who can file: Access to case documents is limited to counsel of record, judges and court staff.

- Filing of transcripts, reports to the court and other documents is available to "case participants."

Registration is a two-step process and instructions are found here:

<https://courts.mt.gov/portals/189/efile/instructions/registration.pdf>

- All attorneys working for government agencies should register in the role of Prosecutor (even those whose practice is exclusively civil).
 - You must have an individual email address for each e-filer.
 - You have the obligation to keep your account password secure; attorney's legal assistants must log in with a separate account which is connected directly to the attorney.
 - We recommend that you complete your registration within a single setting if possible.
-

Submitting Filings

Request Emergency Filing: use this only when appropriate. If it is something that you would normally call the judge's chambers about, check this box as well as calling.

Motion – Unopposed: use this label (filing subtype) for the quickest action.

Specific filing requirements at the Montana Supreme Court are detailed in the Electronic Filing Rules and the Technical Policy Manual found on our information page: <https://courts.mt.gov/courts/efile>.

Document Preparation – in general

- If submitting in pdf format, we suggest saving your document in the PDF/X format if that is available. This may be particularly relevant if you are using Mac equipment.
- Scanners have a wide variety of settings: make certain that you are scanning as a single document (as opposed to separate pages) and that all pages are scanned at “Letter” size (not A4). Set the output to pdf and check that the resulting file is not unusually large.
- After combining electronic files (for example when using AdobePro), you may need to use the option to save as an “optimized pdf.”
- Reserved locations on all documents: top right-hand corner and bottom right-hand corner.
- You may or may not find the exact labels (filing types/subtypes) for the documents you are filing. The clerks will correct most of them if necessary, EXCEPT if you are filing a document for which you must pay statutory filing fees. (see note below for civil filing tips).
- If you are filing documents at a trial court which to an exhibit, appendix or other document, these documents should be combined into a single document whenever practicable. Note that filing at the Supreme Court requires these documents to be separate.
- Document size is limited to about 20 mg. If you have a file that is larger than this, you will need to split it into multiple parts and upload the parts as individual documents in the same filing.

Document Preparation – Proposed Orders at trial courts

- Check local rules; what is accepted at one court may be rejected by another.
- Save and submit a proposed order in a .docx format whenever possible. It is recommended that all templates for proposed orders of any kind be saved in .docx format. This allows a judge to modify the document before signing or to copy and paste portions into a new document.
- Remove all headers and footers to eliminate vertical numbering and right-hand vertical lines, as well as the areas on which file stamps and judge signatures will go.
- File stamp is in the upper right-hand corner; judge signature occupies the bottom right corner.
- Remove the date/signature line. It is generally acceptable to replace these lines with the following:
ELECTRONICALLY DATED AND SIGNED BELOW
- Remove all metadata. It is your responsibility to deliver a proposed order to the court without metadata attached.
- Note that there are special instructions for preparing documents at the Supreme Court. See the Temporary Electronic Filing Rules and Technical Operations Manual.

Filing on Civil Cases at trial courts

- Instructions: <https://courts.mt.gov/portals/189/efile/instructions/EfilingCivilCases.pdf>.
- It is your responsibility to select a label (filing type/subtype) that will result in the correct fee being charged. If you do not see a fee assessed on the Filing Information page, stop, and try again with a different filing type.
- If you submit a filing with a fee and the filing is rejected, resubmit the filing with a fee waiver and make a comment of the original receipt number of your payment.
- Summonses are electronically available on the case after the clerk has accepted and processed the filing. Give the clerk about a half hour to finish issuing the summons(es) after you get the approval notification and then view the case from the e-filing system and print the issued summons(es) and serve as usual.