

Serial: 221407

IN THE SUPREME COURT OF MISSISSIPPI

No. 89-R-99040-SCT

FILED

OCT 25 2018

***IN RE: MEC ADMINISTRATIVE
PROCEDURES***

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

ORDER


Now before the en banc Court are proposed amendments to Sections 1.D. and 5.D. of the Administrative Procedures for Mississippi Electronic Courts, submitted by Nathan Evans, Director of the Mississippi Electronic Courts (MEC).

The proposed amendments, which allow attorneys registered with MEC to view documents in all restricted cases remotely, were posted for comment from August 7, 2018, to September 6, 2018. No comments were filed.

After due consideration, we find the proposed amendments should be adopted.

IT IS THEREFORE ORDERED that the Administrative Procedures for Mississippi Electronic Courts are amended as set forth in the attached Exhibit A. The amendments shall be effective upon entry of this order.

SO ORDERED, this the 17th day of October, 2018.



JOSIAH DENNIS COLEMAN, JUSTICE
FOR THE COURT

ALL JUSTICES AGREE.

An “MEC Filing User” is an attorney who is registered to use the MEC; a “PAMEC User” is a person only entitled to read the documents filed.

A “Notice of Electronic Filing” (NEF) is generated automatically by MEC upon completion of an electronic filing. The Notice of Electronic Filing when e-mailed to the e-mail addresses of record in the case acts as the proof of service.

The term “PAMEC” refers to Public Access to Mississippi Electronic Courts, the public access component of MEC which is an automated public service that allows non-MEC-registered attorneys and non-attorney public users to obtain case and docket information from courts which have implemented MEC.

The term “PDF” refers to Portable Document Format. A PDF document allows anyone to open the converted document across a broad range of hardware and software, with layout, format, links, and images intact.

“Restricted access” or “limited access” means that only eligible attorneys registered with MEC ~~counsel of record and the court staff~~ shall have internet access to the documents in the electronic case files.

E. Selection and Designation of Cases for MEC

Unless otherwise permitted by these administrative procedures or unless otherwise authorized by the assigned judge, all documents submitted for filing in courts which have implemented MEC shall be filed electronically by the attorney or shall be scanned and uploaded to the system by the clerk’s office. Parties proceeding *pro se* shall not file electronically unless said *pro se* party is an attorney in good standing and admitted to practice in the court which has implemented MEC.

Section 2. REGISTRATION FOR MEC

A. Eligibility

Attorneys admitted to practice in courts which have implemented the MEC, including attorneys admitted to practice in those courts under the *pro hac vice* or *pro bono publicus* provisions of the Mississippi Rules of Appellate Procedure, may register as MEC Users. No other person may register as an MEC user, even if he or she is a party proceeding *pro se*.

6. *Viewing Sealed Documents.* Only authorized court personnel will be able to view sealed documents although the docket text “sealed document” is publicly viewable.

C. Documents Submitted for In Camera Review

Documents submitted for in camera review shall follow the same procedures as Documents under Seal set forth in Section 6.B. above.

D. Restricted Access

A case involving one or more of the following natures of suit shall have Restricted Access: Debt Collection; Garnishment; Replevin; Child Custody/Visitation; Child Support; Divorce: Fault; Divorce: Irreconcilable Differences; Modification; Paternity; Termination of Parental Rights; Birth Certificate Correction; Conservatorship; Guardianship; Minor’s Settlement; Protection from Domestic Abuse Law.

1. Internet access to those documents filed in the cases identified above will be on a “restricted access” basis, i.e., limited to eligible attorneys registered with MEC ~~counsel of record in the case~~ and court staff. Docket sheets will be available over the Internet to non-parties, who will also have direct access at the clerk’s office to the documents on file in the case.
2. A publicly viewable NEF will be generated for a restricted access document, and the document will be attainable through the NEF. Parties will use the court’s electronic notice facilities to serve restricted access documents.
3. In addition to those cases identified above, a party may file a motion to restrict a document and/or case. The motion must state the reason and show good cause for restricting remote access to the document or case. If the motion is granted, remote access to the document or case will be limited to eligible attorneys registered with MEC and court staff. ~~MEC Filing Users who are counsel of record in the case.~~ Docket sheets will be available over the Internet to non-parties, who will also have direct access at the clerk’s office to the documents on file in the case.

Section 6. CONVENTIONAL FILING AND SERVICE OF DOCUMENTS