

Supreme Court adopts standards for electronic case management and e-filing

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The Mississippi Supreme Court on Thursday adopted standards which will serve as the framework for developing a uniform statewide system of case management and electronic filing in state courts.

Mississippi Supreme Court Chief Justice James W. Smith Jr. said that case management and electronic filing is his number one priority. First, Chief Justice Smith and the Court's justices proceeded to clean up their own docket, and accomplished this goal by mid-October 2004.

Next, Chief Justice Smith appointed a 24-member committee of judges, lawyers, clerks of the courts and members of other state agencies and charged them with the task of recommending guidelines for the development of a statewide electronic filing and case management system for the trial courts.

Chief Justice Smith has sought inclusion of state officials and agencies in this project, which should jump-start a statewide network which ultimately will prevent duplication or waste of time, resources and funds for all these state agencies and counties involved in the system.

The E-Filing/Court Docket Management Study Committee submitted its report to the Supreme Court on May 13. The Supreme Court adopted the report by an order entered today.

Chief Justice Smith appointed Presiding Justice William L. Waller Jr. as chairman of the E-Filing/Court Docket Management Committee.

Presiding Justice Waller said, "The adoption of Strategic Goals and Policy Standards for data and case management and for electronic filing in Mississippi represents an important step to provide openness and accessibility to the judicial process."

"We need a statewide system that consolidates docket management, data management and e-filing into one system. The overall objective is to have a single, comprehensive data, case management and e-filing system statewide for all courts," Presiding Justice Waller said. "This would reduce delays and backlogs in the adjudication of cases. It would promote time and cost efficiency, and it would ensure consistency in judicial administration."

The May 13 report of the E-Filing/Court Docket Management Study Committee states that policy standards for case management and e-filing should contribute to greater convenience and efficiency in four areas:

- public access to case information;
- recording, docketing and reporting of data by court clerks and the Administrative Office of Courts;
- use of data by judges and their staffs in docket and case management;
- data exchange with other state agencies.

The policy standards call for shifting record-keeping from paper to an electronic format viewable and searchable via computer by the courts and the public. Access to data must accommodate privacy and confidentiality concerns. The system must have the capability to identify who accesses the data.

The data management system must provide for one-time data and docket entry. Filing systems must include a means to accept payments of fees, fines, surcharges or other financial obligations electronically.

In courts adopting electronic filing, the clerk will be prepared to scan newly filed paper documents into electronic format. Rules must be adopted addressing the special needs of litigants who are indigent or are representing themselves, who are illiterate, who don't speak English, or who lack the skills to use computers or lack access to computers.

Electronic filing systems must accommodate electronic filing of appeals.

A copy of the 12-page report of the E-Filing/Court Docket Management Study Committee is attached to the Supreme Court's order on the court's web site. To view a copy, go to www.mssc.state.ms.us, click on DECISIONS and go to the HAND DOWN LIST for June 9, 2005.

Approximately 27 chancery and circuit courts have no automation. Some districts, however, have already incorporated computerized docket management.

Chief Justice Smith noted that Chancery Judge H. David Clark II effectively uses computerized case and docket management in his district, which includes Scott, Newton and Jasper counties. He praised Judge Clark's leadership of a subcommittee which drafted the goals and standards for case management and e-filing.

No estimate is available yet of how much a statewide system would cost.

Chief Justice Smith said that funding will be sought from the Legislature as well as from grants and other sources to design and implement an electronic case management and e-filing system. Legislation may be sought in January 2006.

The next step is a needs analysis, which is expected to take three to four months. The office of the State Auditor has secured \$50,000 from the Department of Homeland Security to pay for the needs analysis.

State Auditor Phil Bryant said, "A uniform court docket management system is one of the most important challenges facing the state of Mississippi today. We must be able to track civil and criminal cases throughout the system. It is imperative that we invest our time and resources in the next few years to develop a statewide system available to all of Mississippi governing agencies."

David L. Litchliter, executive director of the Mississippi Department of Information Technology Services, said his agency "is one hundred percent in support of the objectives and approach of the Supreme Court."

Litchliter said, "We have all seen situations in which the implementation of disparate systems throughout the state have wasted scarce technology dollars and have complicated communications among various government entities, levels of government, and geographic regions of the state. I commend the Court for its unified, integrated approach to automation of e-filing and document management, and I see this project as a potential catalyst for the implementation of an affordable and comprehensive statewide communications network at the county level."

Litchliter said, "ITS is looking forward to the opportunity to work with the courts in the requirements definition phase of this project. As input into this process, interviews will be conducted with a representative sample of court districts throughout the state, representing large metropolitan, medium sized urban and rural, and small rural areas. Requirements will also be collected from the Supreme Court, Administrative Office of the Courts, private attorneys, district attorneys, county courts, and the Department of Archives and History. I believe this formal documentation process, that will include representatives from each category of potential system users, is an essential next step toward acquiring and deploying technology that is the best fit for our state's current and future needs."

Presiding Justice Waller said, "The Supreme Court is aggressively moving to the next step of program development by working with the Department of Information Technology Services in conducting a case management and e-filing needs analysis. I appreciate the assistance of ITS Executive Director David Litchliter in conducting the needs analysis, and the help of Phil Bryant, our State Auditor, and Ed Worthington, State Director of Homeland Security, who made funding possible. Full cooperation across agency lines and branches of government is necessary for our citizens to enjoy the benefits of a responsive, comprehensive digital system of court management, e-filing, and access by the public."

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Media Contact: Beverly Pettigrew Kraft, Administrative Office of Courts, 601-354-7452