

Governor signs case docket management and electronic filing system legislation for state courts

April 26, 2006

Gov. Haley Barbour on Monday, April 24, signed legislation which establishes a funding mechanism for the development of a comprehensive computerized case docket management and electronic filing system for state courts.

Senate Bill 2757, which becomes effective July 1, 2006, creates the Comprehensive Electronic Court Systems Fund. The fund will in the future provide money for the development, implementation and maintenance of a statewide computerized docket management and e-filing system.

Mississippi Supreme Court Chief Justice James W. Smith Jr. said, "This is extremely important to all the trial courts as well as the appellate courts. It is a unified program. All courts will operate under the same guidelines, the same system."

Chief Justice Smith said having a unified system with computerized records filing will provide more accurate case statistics; will make records more accessible to litigants, lawyers and law enforcement; and will provide a backup system for records storage and retrieval in the event of a catastrophe.

Presiding Justice William L. Waller Jr., chairman of the E-Filing/Court Docket Management Committee, said, "The bill creates one of the first integrated case management and e-filing statewide networks in the nation. I thank the circuit and chancery judges, administrators and clerks, members of the bar, archivists, and computer programmers who worked so diligently on the proposed bill."

The bill, introduced by Senate Judiciary A Chairman Charlie Ross, says the system will be designed to:

- (a) Provide a framework for the seamless, transparent exchange of data among courts and with appropriate law enforcement, children's services and public welfare agencies.
- (b) Allow judges and prosecutors to determine whether there are holds or warrants from other jurisdictions for defendants prior to release on bail or otherwise.
- (c) Assist related agencies in tracking the court activity of individuals in all participating jurisdictions.
- (d) Assist child protection and human services agencies to determine the status of children and care givers in the participating jurisdictions.
- (e) Duplicate and preserve court documents at remote sites so that they may be protected against catastrophic loss.
- (f) Improve the ability of the Administrative Office of Courts and the state courts to handle efficiently monies flowing through the courts and to collect delinquent fees, fines and costs.
- (g) Enable the state courts and clerks to generate management reports and analysis tools, allowing them to constantly track individual cases and the overall caseload.
- (h) Provide a uniform system for docketing and tracking cases and to automatically generate status reports.
- (I) Enable the Administrative Office of Courts to acquire statistical data promptly and efficiently.
- (j) Make trial court and individual case dockets available to the public on-line through use of the Internet.

Development and implementation of the docket management and e-filing system is expected to take three or four years. Use of the docket management and e-filing system by the trial court districts will be voluntary.

Cost estimates for implementing the system range from \$5 million to \$7 million. The program is expected to be funded primarily by fees on civil case filings. The legislation calls for clerks of all Chancery and Circuit Courts to collect a \$10 fee at the time of filing of each new civil case, with the fees going to the Comprehensive Electronic Court Systems Fund. The fees are estimated to generate about \$1.3 million each year.

Although the Legislature did not appropriate money from the General Fund for the program this year, Senate Bill 2757 authorizes potential future legislative appropriations. The legislation also allows the Comprehensive Electronic Court Systems Fund to accept federal funds, donations and monies received from other sources as provided by law. Interest will accrue on the fund. The fund is not subject to fiscal year limitations, which means any money left over at the end of a fiscal year does not revert to the state General Fund.

The Mississippi Department of Information Technology Services completed a needs analysis for the state court system in January. The extensive study by ITS included interviews with judges and staff of a cross-section of Chancery, Circuit and County courts, the Supreme Court, the Administrative Office of Courts, district attorneys, law enforcement, attorneys in private practice and the Department of Archives and History. The needs analysis was funded by a Department of Homeland Security grant obtained by the Office of the State Auditor.

A copy of the bill is available on the Mississippi Legislature's web site at <http://billstatus.ls.state.ms.us/documents/2006/html/SB/2700-2799/SB2757SG.htm>.

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