

# MONTANA STATEWIDE E-FILING

OFFICE OF THE COURT ADMINISTRATOR

## COURTS E-FILING NOT A NEW IDEA

### A Project Many Years in the Making

An enormous amount of planning and preparation is required to bring a project of this size to reality and many individuals and groups have dedicated countless hours in an effort to bring the project to its current status.

In 1995 the legislature had the foresight to provide statutory authority for electronic filing with enactment of MCA 3-1-115.

It was not until 2007 that long range information technology funds were secured and concrete action began as a result of the Supreme Court Commission on Technology (COT) identifying electronic filing as a strategic initiative for Montana Courts.

The COT created the Electronic Filing and Remote Access Task Force in 2008, composed of eleven judges, clerks and attorneys, chaired

by Clerk of the Supreme Court Ed Smith. Its task was to study and report on how to best approach the creation of a statewide electronic filing system for Montana courts. The Task Force assembled six working groups to further advise in these six areas:

MCA 3-1-115 (1) THE  
SUPREME COURT MAY  
MAKE RULES  
ESTABLISHING  
PROCEDURES FOR  
ELECTRONIC FILING OF  
DOCUMENTS

privacy and access, rules, limited courts, archive and document management, pro se/self-represented litigants and technical issues. The working groups comprised another 29 subject matter experts from around the state representing a broad range of court-related positions.

The Task Force and working groups reviewed and assessed E-Filing system functional requirements as developed by the Conference of State Court Administrators and the National Association of Court

## TIMELINES, MODIFIED

We indicated in the last newsletter that we expected to be "live" with appellate court E-Filing by now. Instead, the expected "go-live" date at the Supreme Court is this summer, and in the late fall with courts in the Fourth Judicial District. The extra time is required to address Montana customizations to the system, which will ensure compliance with state laws and court practices. The extra time will guarantee the system is fully tested, viable, and will serve the needs of the Montana Courts from the first filing.

Management and received product demonstrations from five commercial E-Filing software vendors. By mid-2009, a preliminary set of Montana-specific requirements had been refined, which was presented to the COT as a statement of system requirements within a request for proposal (RFP) format.

Finally in 2011 the COT appointed an RFP Committee which offered the RFP to all qualified vendors capable of developing a single unified application to serve the administrative needs for all levels of court operations in Montana.

In 2012 the RFP proposals were reviewed and scored

and LT Court Tech was awarded the contract. LT Court Tech has since been purchased by Thomson Reuters, and is the same vendor who provides the Supreme Court with their case management system.

## TEMPORARY ELECTRONIC FILING RULES

### Rules to serve the needs of all Montana courts

Model e-filing rules were originally developed with the E-Filing Concept of Operation which provided a basis for a request for proposal (RFP). From that starting point, we have continued to refine the rules, soliciting opinions and comments from many individuals involved in courts throughout the state.

One of the first tasks we undertook with the software vendor (LT Court Tech) was to systematically review each of the model rules with their project management team, assessing each of the rules as compared to the technical capabilities of their core system. As we made further technical decisions to best suit a statewide E-Filing implementation, the rules sometimes needed to be changed or reworded.

When we started to work with the major case groups of the phase 1 pilot case types – appellate, criminal, abuse and neglect, civil commitment and juvenile cases – at least half of our meeting time was spent assessing each of the rules and taking comments from the assembled subject matter experts. This provided a broad cross-section of perspectives from future e-filers around the state including judges, attorneys, prosecutors, public defenders, clerks and other necessary parties, such as DPHHS regarding child abuse and neglect cases.

All of the comments over the past year and a half were recently collated and cross-referenced and, in May, presented to the E-Filing Advisory Committee. This Committee

evolved from the E-Filing RFP Committee, and the members are well-grounded in their knowledge of our goals in establishing a statewide E-Filing system.

### Next steps

With the approval of the Advisory Committee, the rules as they have evolved are now being prepared as Proposed Temporary E-Filing Rules and will be sent out to all of our subject matter experts for review. In a “finalized” version the rules will be presented to the Commission on Technology. When and as approved by the Commission, they will move to the Supreme Court for final review and adoption as Temporary E-Filing Rules to govern throughout the pilot project.