



State of Texas
Office of Court Administration
and
Judicial Committee
on Information Technology

Electronic Filing Project White Paper: Frequently Asked Questions

August 23, 2002

Download in

Word format!

TABLE OF CONTENTS

- 1 Executive Summary**
- 2 Introduction**
 - 2.1 BACKGROUND**
 - 2.2 PURPOSE**
- 3 Electronic Filing Manager (EFM) Model Registration and Process**
 - 3.1 INITIAL REGISTRATION OF CLERKS**
 - 3.2 INITIAL REGISTRATION OF FILERS**

3.3 E-FILING PROCESS

4 Benefits of Implementing the EFM Model

5 Approach and Strategy

5.1 E-FILING APPROACH

5.2 E-FILING STRATEGY

6 Scope

6.1 RESPONSIBILITY

6.1.1 TexasOnline/KPMG Consulting Responsibilities

6.1.2 JCIT Responsibilities

6.1.3 OCA Responsibilities

6.1.4 Participating Counties' Responsibilities

7 Key Issues

7.1 RECEIPT OF FILING

7.2 TIME STAMPING

7.3 REVENUE

7.4 PAYMENT METHODS

7.5 CASE AND DOCUMENT MANAGEMENT SYSTEMS

7.6 SYSTEM RELIABILITY

7.7 DATA RETENTION

7.8 DISASTER RECOVERY

7.9 ARCHIVING

8 Appendix A: Frequently Asked Questions Submitted By Counties

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

1 Executive Summary

Implementation of e-Filing capability, i.e., electronic transference of data and payment transaction processing, within the Texas Courts systems will provide a more efficient means of conducting conventional, court-related business functions and service provisions in a more expedient and efficient manner. The ability to file documents electronically will increase public access and simplify the filing process for all involved.

The Legislature created TexasOnline to provide an e-Government portal for the citizens of Texas. Part of the TexasOnline effort has been to automate several existing paper-driven processes to deliver more expedient, effective information and services to the public through electronic media. The legal and judicial communities of Texas are poised to benefit from e-Filing, which will provide the capability of filing documents with the courts electronically.

The successful implementation of e-Filing requires a concerted effort among TexasOnline, the State Bar of Texas, KPMG Consulting, the Judicial Committee on Information Technology (JCIT), the Office of Court Administration (OCA), and participating counties. TexasOnline/KPMG Consulting has the responsibility to deliver the functionality to the state. Additionally, policies, guidelines, standards and rule recommendations associated with the functionality are provided by JCIT and local courts, as well as approved by the Supreme Court of Texas. The courts and the State Bar have the responsibility of defining their specific requirements associated with the successful implementation and integration of e-Filing within their environment.

The strategy for the e-Filing Project is to utilize a multi-phased implementation approach that allows for a pilot phase and the use of launch partners to facilitate mid-course correction and functional additions to deliver a sound e-Filing solution to the State.

[<<<< previous](#) [next >>>>](#)

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

3.3 e-Filing Process

Once registered with the TexasOnline EFM, the filer will select a participating EFSP (pre-registered with EFM) and submit filings to the EFSP in the XML format standard approved by the JCIT. If the EFM deems that the filing is incomplete or incorrect, the EFM returns the filing to the EFSP. If the EFM deems that filing is in the JCIT approved XML format, the filing is forwarded by the EFM to the correct clerk of the court for review. The clerk of the court will render a decision based on state and local filing rules of whether to accept or reject the filing and the clerk of the court then sends notification of the filing status to the filer. The EFM also processes the applicable fees by using filer information provided by the EFSP.

The courts will maintain the official copy of filings. The EFSPs and Courts may provide the service of viewing filings. The EFSPs may impose charges for viewing filings. The documents viewed in this medium are considered to be unofficial, courtesy copies only. The TexasOnline EFM will not provide additional viewing functionality for clerks, filers, or the public. Clerks may view previously filed documents through access to local systems. Filers and the public may view non-record files through services established by EFSPs. Filers and the public may view record files through services established by the clerks' offices.

[<<<< previous](#) [next >>>>](#)

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

7.5 Case and Document Management Systems

TexasOnline will provide, at no cost to the counties, a standard data set based on XML to enable interfacing with their case and document management systems. Additionally, TexasOnline will provide the counties with a data dictionary for the standard interface and provide knowledge transfer and assistance to the county's IT staff and vendors responsible for implementing the standard interface. The JCIT will establish and approve court-filing standards and all interfaces will adhere to those standards. The counties will provide specification input during the JCIT standards development process.

Counties that do not have document management systems have the following options for file retention:

- Print the files after acceptance and retain in a paper filing system. TexasOnline can provide printer specifications required to meet the basic needs of e-Filing. The specifications will vary depending upon the anticipated printing volume of the Court. The use of high resolution, laser printers should be anticipated.
- Contract with a vendor that provides outsourced document management services. If this option is chosen, the county can maintain an electronic copy of the file in a network server but may have to use the outsourced service to produce certified copies.
- Save the electronic files locally to a directory system.

[<<<< previous](#) [next >>>>](#)

[<<<<< previous](#) [next >>>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

7.6 System Reliability

TexasOnline system reliability is 98.5% at this time. The JCIT is developing recommended State and local rules to govern e-Filing liability in the event that a system failure is sustained. There are three potential points of failure within the system:

- EFSP transmission to EFM – Until the EFM receipt is received, the Filer will bear the responsibility to complete filing.
- EFM transmission to CMS – The EFM is responsible to ensure the transfer of data is successful and the clerk is responsible to ensure that the load into the CMS is successful.
- EFM response to EFSP –The EFM bears the responsibility to ensure that responses are transmitted back to the correct EFSP.
- EFSP response to Filer - The EFSP bears the responsibility to ensure that responses are transmitted back to the filer.

[<<<<< previous](#) [next >>>>>](#)

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

7.7 Data Retention

TexasOnline and the county will establish a Service Level Agreement which will outline the specific terms regarding data retention, i.e., how long the data will be kept before being deleted, what type of certification will be issued, liability, etc. In general, the EFM will make a filing available for ten days following an acceptance or rejection decision rendered by the Court. At that point, the EFM will delete the data and the date/time will be recorded in a permanent log within the EFM. The Texas Department of Information Resources can perform technical audits on the TexasOnline system at any time.

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

7.8 Disaster Recovery

The EFM is a data transference and court filing fee payment engine and will only maintain files for the time required to process the filing document from one portal to the next and await clerk acknowledgment. KPMG Consulting is developing the EFM using a “high availability” architecture meaning that redundant servers and databases will be implemented. KPMG Consulting is housing the EFM in a fire and tornado proof facility in San Angelo, Texas. Clerks and courts will typically have disaster recovery plans for local document and case management systems.

[<<<< previous](#) [next >>>>](#)

<i>Texas Office of Court Administration and</i>	<i>Electronic Filing Project</i>
<i>Judicial Committee on Information Technology</i>	<i>White Paper: Frequently Asked Questions</i>

7.9 Archiving

The EFM Model provides a series of portals for transference of data and court fee payments. The EFM will retain documents for ten days following an acceptance or rejection decision rendered by the court. The model does not provide any type of online/offline retention or storage in which to archive files. The court could either continue to use the same archiving strategy currently in place for paper documents or independently contract with TexasOnline for archival or long-term retention functions. The county could elect to execute a separate retention contract but it would be beyond the scope of the Electronic Filing agreement.
