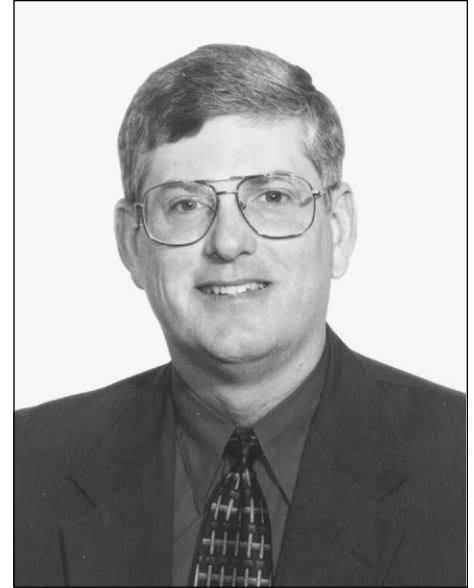


Circuit Court Launches E-Filing

by **Kevin M. Oeffner**
Circuit Court Administrator



On December 12, 2005, the Circuit Court began an electronic filing (eFiling) pilot program in collaboration with the Oakland County Clerk's Office and the Oakland County Department of Information Technology. The Circuit Court and County Clerk will use the eFiling application created by IBM and made available via contract with the State Court Administrative Office (SCAO).

The program is expected to continue for four months, with a target of 12-25 civil cases (Type C or N) assigned to Judge Michael Warren's docket. Near the conclusion of the prototype, an evaluation will occur with participation by all the applicable stakeholders. The Circuit Court, in collaboration with the County Clerk's office and the other stakeholders, will determine if a recommendation is warranted to continue and expand the program.

During the prototype, eFiling is voluntary but once an eFiling order has been entered by Judge Warren, all participants have agreed to file pleadings, briefs, motions, orders, judgments, etc., electronically for the duration of the case. The parties must agree to follow the rules governing the eFiling program. A copy of the rules is available on the county's Web site at www.co.oakland.mi.us/circuit. Click on the "Circuit Court Launches eFiling" headline under the "News and Events" section of the page, located in the lower right corner.

The SCAO has worked with IBM to provide an eFiling application available to all Michigan courts. Currently Oakland County is only the second circuit court to participate. The vision is that the system will eventually be used by all Michigan courts to provide litigants with a standardized eFiling capability statewide.

Unlike many other e-filing projects, Oakland County is striving to integrate the filing throughout the case management and motion call processes. Thus, the system is paperless from the initial filing of a document to receipt and review by the judge, and is directly linked with the document management imaging system in the Clerk's office. When a document is filed electronically, it is received by the Clerk's office where an image is made and stored on the system. The judge can retrieve the image without having to view a hard copy. Every document filed electronically can be viewed online by the participating litigants 24/7 via the SCAO Web site.

Another attractive benefit of our eFiling system is that there is no cost to the litigant for its use. Other electronic filing systems might carry a charge based upon the number of transactions or pages filed, but the eFiling program in this court will be free to all users. It is expected that attorneys and litigants will realize savings and gain productivity by filing electronically in lieu of mailing documents or sending runners to the courthouse. Case filing fees and other applicable fees authorized by statute or court rule would remain in effect, just as they would for traditional paper filings.

Initially the court contacted attorneys with pending cases on Judge Warren's docket that met the parameters referenced above (Type C or N and about four to six months old) to seek volunteers for the eFiling program. Several cases have been approved for eFiling with additional cases added weekly, and the court has already accepted and processed several filings and motions electronically.

If you have a pending case assigned to Judge Warren's docket and are interested in using eFiling, please contact

Ms. Lisa Czyz in the Case Management office at 248-452-2190 or by e-mail at czyzl@co.oakland.mi.us. You are encouraged to read the eFiling rules on our Web site at the address shown above as valuable information is provided about submission and time requirements for eFiled documents, service, the format of eFiled documents and service, what documents cannot be eFiled, what constitutes the official court record and privacy considerations.

Space doesn't permit a thorough explanation of the "how-to's" associated with eFiling. The rules on our Web site will assist in answering questions. You are welcome to contact the Case Management office for more information to learn if your case might be suitable for eFiling.

Training will be offered at no charge for those whose cases are included in the eFiling program. Court and County Clerk staff will contact participants and schedule a training date and time. The training program, generally

under two hours in duration, will involve computer use so that the eFiling screens can be viewed. A sample eFiling takes place using a test court. The participant will be provided with a user manual along with a CD containing an electronic version of the manual. Training is done at the courthouse or we will take the program on the road to a law firm or other suitable location.

The planning and development of this program has required the contributions of many people, all of whom deserve thanks and appreciation for their contributions. I'd like to specifically thank Mr. Ray Henney, longtime OCBA member, for his active participation on behalf of the OCBA membership and the civil law practitioners in Oakland County.

We will continue to keep you apprised of developments should eFiling be continued and expanded after completion of the initial pilot program.

Until next month...

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