

ELECTRONIC FILING PROJECT

Volume 1 Number 1

April 2006

The Clerk of Court and the General Division of the Montgomery County Common Pleas Court have embarked on an exciting project that will pave the way for electronic filing of court pleadings and documents. This initiative is somewhat unique in that a group comprised of representatives from the Clerk, the General Division, and the Dayton Bar Association is working together on this project. Electronic filing of court documents has been implemented in many courts in the United States including most of the Federal District Courts. The need to implement this technology is great. Like many public offices, resources in the form of space and personnel have been reduced. The storage of paper files and documents has caused archive areas to overflow. Couple this problem with the expectation that information should be easily accessible and the foundation for electronic filing becomes very clear. We must move forward now so that the clerk and court will be able to serve the needs of the legal profession and the public in the future.

Judge Dennis J. Langer
Administrative Judge

Dan Foley
Clerk Of Courts

WHAT IS ELECTRONIC FILING?

In its simplest form, electronic filing is the substitution of an electronic document for a traditional paper document. With the evolution of Internet technology, electronic filing has become a highly secure and reliable method for sending, receiving, and managing legal documents and case information. A fully developed electronic filing system includes not only transmission of pleadings to the Clerk's Office in an electronic format, but also the routine use of electronic documents and the electronic record for case processing, for service on other parties, and for access and use by everyone involved in, or interested in the case.

The Clerk of Court has already laid the foundation for electronic filing through its Public Records Online system. This system places most court documents at the fingertips of anyone with an internet connection. Imaging technology is used to scan paper documents and convert them to electronic files that are stored in a document management system. The effort and expense needed to scan each and every new filing is not trivial. Electronic filing can save the clerk the cost of converting most documents from paper to electronic form by taking advantage of the fact that lawyers and other court users create most documents filed in courts using their own computers. It is inefficient to have these pleadings converted to paper merely to



Committee Members

Montgomery County Clerk Of Court

Jim Knight
Connie Vilelli
Lynn Cooper
Shawn Dunlavy

Montgomery County Common Pleas Court General Division

Jim Drubert
Vanessa Carter
Sharon Lattimore
Roxana Brun
Joseph Pecquet

Dayton Bar Association

Chris Albrekton
Paul Roderer Jr.
Betty White
Brian Clayton

General Division Technology Committee

Judge Michael Hall, Chair
Judge Jeffrey Froelich
Judge Gregory Singer
Judge Michael Tucker

be reconverted to images when they reach the courthouse.

Electronic filing systems have been very successful in many other courts. The effectiveness and efficiency of the court, clerk and law practice will only be enhanced as these systems are implemented. By reducing redundant processes and streamlining procedures, significant cost savings and efficiencies can be realized with electronic filing.

OHIO SUPREME COURT STANDARDS

The Technology Standards Committee of the Ohio Supreme Court has been very active in developing standards for computer technology for the Ohio Courts. Standards have been developed for fax filing and case management. Standards for electronic filing of court documents have been published for comment during the coming months. The Montgomery County e-filing work group have examined these standards and determined that they will be used as a framework and foundation for any systems recommended for testing or implementation. The standards as written provide a great deal of information about how e-filing can be implemented in an effective and efficient manner. These standards can be accessed at <http://www.sconet.state.oh.us/actc/standards/efiling.pdf>.

PORTABLE DOCUMENT FORMAT

One of the early decisions of the e-filing group was to research and recommend a document format standard for Montgomery County e-filings. PDF or portable document format was developed by Adobe Systems. This type of electronic document has become a de facto standard for all types of electronic documents and information. A user may prepare a document, picture, or scan with virtually any type of software and print the output to PDF. The printed output appears as an electronic file or document viewable by anyone with a reader that is readily available at no cost. A document could be prepared with any kind of word processor on either a Windows PC or an Apple. The final product is an exact image of the

original document. The document can be made secure from alteration and even printing.

PDF allows a great deal of flexibility in preparing a document for distribution. Most word processing programs have the capability to export or print to the PDF format. There are numerous products that create PDF documents. These solutions run the gamut from little or no cost to expensive depending on the capability required.

PDF RESOURCES

Software for creating, editing, and managing PDF files are available from many sources. In terms of e-filing, the primary requirement will be to produce a document in PDF. Most of the widely used office suites for word processing and spreadsheets have integrated this function into the software. The following sites contain useful information regarding PDF conversion and management.

www.adobe.com

This covers many conversion options ranging from the complete adobe suites of software to an on-line facility to convert files to PDF. The free acrobat reader is also available at this site.

www.pdfzone.com

This site has a wide variety of instruction, news, and information about PDF tools. A buyer's guide provides comparison of different PDF software tools.

www.pdfforallawyers.com

This site is a weblog with numerous articles and tips for legal professionals. Links to free trial versions of software may be of special interest.

www.planetpdf.com

A community of PDF resources and information. This site contains a search facility that can help focus on product that may best fit a need.

MORE INFORMATION ON E-FILING

American Bar Association

<http://www.abanet.org/tech/ltrc/research/efiling/rules.html>

National Center For State Courts

<http://www.ncsconline.org/WC/Education/ElFileGuide.htm>