

# e-Filing Report

January 2001 Vol. 1, No. 2

© 2001 Glasser LegalWorks

## contents

- 2 From the Editor: *Tipping the Scales of E-Filing***
- 4 *Electronic Filing in the Federal Courts: A Status Report***  
by Sharon D. Nelson and John W. Simak  
The Administrative Office of the Federal Courts deserves high marks for its trailblazing work in electronic filing of court pleadings.
- 8 *Vendor Viewpoint: The Future of E-filing for the Legal Community***  
by Dave Glynn  
Dave Glynn offers some advice for getting the customer legal community to participate in e-filing projects.
- 11 *E-Filing Projects Around the Nation***  
by Tom O'Connor  
Highlights of e-filing projects in the state and federal courts.
- 13 *Court Interview: A Conversation with Orange County's Alan Slater***
- 14 *In-Depth: Privacy and Electronic Access to Court Files***  
The federal judiciary is seeking comments on the privacy and security implications of providing electronic public access to court files.
- 19 *Technical Talk: Using XML: Problems and Solutions***  
by Winchel "Todd" Vincent  
In part two of his primer on XML, Todd Vincent explores the "Tower of Babel" problem and searches for solutions.
- 23 *E-Government: E-Voting Gets New Scrutiny***  
by Tom O'Connor  
The most recent presidential election has stoked the debate over electronic voting.
- 25 *E-Filing Resources***

## Top of the News

### Keeping Current Nationwide

The Electronic Filing—Privacy & Public Access Conference, sponsored by the Institute for Court Management of the National Center for State Courts (<http://www.ncsc.dni.us/ICM/index.html>), in Las Vegas on December 6-8 was a huge success. Originally sold out at 250 attendees, ICM was able to expand the venue, and over 300 people actually attended. The first day was literally standing room only as Jim McMillan, a well-known technologist from the NCSC, gave opening remarks.

The opening session started with an overview of the state of e-filing systems in courts at all levels nationwide. Barry Lander, Clerk of the U.S. Bankruptcy Court in San Diego, gave an update on the Federal ECF initiative. Terry Bullock, Chief Judge of the Third Judicial District of Kansas, followed with a review of the innovative e-filing project in Shawnee County, Kansas. That project, one of the first in the nation, allows nearly 100 limited action cases to be filed in 30 seconds and has enabled the court to reduce a two- to three-day docket in such cases to special two-hour settings. (Judge Bullock is well known for his casual, informative delivery style, and his view of the relationship between judges and legislators had several attendees remarking that he was the best show on the Strip that week.)

Judge Robert Blasi of the Philadelphia Municipal Court followed Judge Bullock. Judge Blasi spoke about the pilot project his court developed with Verilaw. That system is now being expanded to handle all cases in the court, a number that exceeds 160,000 annually.

Next to speak were two state court representatives. The first was Judge William Birdsall from the 11th Judicial District of New Mexico, who described his experiences with the pioneering efforts of that state in

(continued on page 3)

# e-Filing Report

January 2001 Vol. 1, No. 2

© 2001 Glasser LegalWorks

## contents

- 2 From the Editor: *Tipping the Scales of E-Filing***
- 4 *Electronic Filing in the Federal Courts: A Status Report***  
by Sharon D. Nelson and John W. Simak  
The Administrative Office of the Federal Courts deserves high marks for its trailblazing work in electronic filing of court pleadings.
- 8 *Vendor Viewpoint: The Future of E-filing for the Legal Community***  
by Dave Glynn  
Dave Glynn offers some advice for getting the customer legal community to participate in e-filing projects.
- 11 *E-Filing Projects Around the Nation***  
by Tom O'Connor  
Highlights of e-filing projects in the state and federal courts.
- 13 *Court Interview: A Conversation with Orange County's Alan Slater***
- 14 *In-Depth: Privacy and Electronic Access to Court Files***  
The federal judiciary is seeking comments on the privacy and security implications of providing electronic public access to court files.
- 19 *Technical Talk: Using XML: Problems and Solutions***  
by Winchel "Todd" Vincent  
In part two of his primer on XML, Todd Vincent explores the "Tower of Babel" problem and searches for solutions.
- 23 *E-Government: E-Voting Gets New Scrutiny***  
by Tom O'Connor  
The most recent presidential election has stoked the debate over electronic voting.
- 25 *E-Filing Resources***

## Top of the News

### Keeping Current Nationwide

The Electronic Filing—Privacy & Public Access Conference, sponsored by the Institute for Court Management of the National Center for State Courts (<http://www.ncsc.dni.us/ICM/index.html>), in Las Vegas on December 6-8 was a huge success. Originally sold out at 250 attendees, ICM was able to expand the venue, and over 300 people actually attended. The first day was literally standing room only as Jim McMillan, a well-known technologist from the NCSC, gave opening remarks.

The opening session started with an overview of the state of e-filing systems in courts at all levels nationwide. Barry Lander, Clerk of the U.S. Bankruptcy Court in San Diego, gave an update on the Federal ECF initiative. Terry Bullock, Chief Judge of the Third Judicial District of Kansas, followed with a review of the innovative e-filing project in Shawnee County, Kansas. That project, one of the first in the nation, allows nearly 100 limited action cases to be filed in 30 seconds and has enabled the court to reduce a two- to three-day docket in such cases to special two-hour settings. (Judge Bullock is well known for his casual, informative delivery style, and his view of the relationship between judges and legislators had several attendees remarking that he was the best show on the Strip that week.)

Judge Robert Blasi of the Philadelphia Municipal Court followed Judge Bullock. Judge Blasi spoke about the pilot project his court developed with Verilaw. That system is now being expanded to handle all cases in the court, a number that exceeds 160,000 annually.

Next to speak were two state court representatives. The first was Judge William Birdsall from the 11th Judicial District of New Mexico, who described his experiences with the pioneering efforts of that state in

*(continued on page 3)*

# Tipping the Scales of E-filing

The first issue of the E-Filing Report has been a resounding success. We have received an outstanding subscription response, and I have been receiving e-mail comments on a daily basis since we released the premiere issue in early December. Requests for copies of the first issue are constant, and I actually ran out of hard copies to distribute at the Electronic Filing—Privacy & Public Access Conference in Las Vegas on December 6-8.

This is gratifying not in the commercial sense but because it shows we have struck a chord. In the past year, I often differed with Jim Keane, the well-known technologist, e-filing advocate and member of our Editorial Advisory Board, on his position that e-filing had reached a "tipping point" in the minds of court personnel around the country. Jim and I debated that proposition in several public forums throughout the course of the year, and I usually referenced the statistic that less than 5% of the courts in the nation were actually employing e-filing.

Well, a tip of the hat to Jim for once again being right on point in spotting a technology trend. My observations at the ICM conference and the fervent response to this publication have convinced me that Jim is right. People are convinced that e-filing is here to stay: they just haven't decided how to make it work. Perhaps the best observation was made by Newt Peters, ICM faculty member, who stated that he felt that e-filing today is where imaging was three years ago—a good concept still waiting for technology to provide the best means for its implementation.

The ICM conference was standing room only. E-filing sessions are scheduled for every technical conference coming up in the next six months. Todd Vincent of Legal XML reports that membership in that organization is just under 900, with 60 new members joining in December alone. The number of courts implementing e-filing is growing incrementally with many statewide RFP's being planned for this year. Clearly, e-filing is a concept whose time has come; my only possible disagreement with Jim now may be that that we are well PAST the tipping point.

In this month's issue, you'll find our regular state-by-state overview of e-filing projects around the country, an interview with Alan Slater of the Superior Court of Orange County, and part two of Todd Vincent's XML primer. In addition, Dave Glynn of the Chicago Law Bulletin provides the vendor's viewpoint, Jim Keane compiles the "must have" e-filing resources, and we look into how the 2000 presidential election has prompted an even greater interest in e-voting.

Once again I hasten to point out that we are attempting to provide the most current information regarding e-filing in different jurisdictions throughout the country, regardless of the technologies used. We have had requests for articles on privacy and security issues, digital signatures and how to assess e-filing readiness. We'll provide those and any others that you request, so keep the comments coming and help us maintain our status as the leading source of e-filing information available today. ●

Tom O'Connor  
Editor-in-Chief  
<toconnor@cyberlseuther.com>

e-filing. Dr. Bob Roper, Chief Information Officer for the Colorado Judicial Branch, followed him and spoke with great passion about his state's experience. Bob's discussion of the state's privatization of the first statewide e-filing system, developed by CourtLink, provided numerous real-life examples of the hurdles to be faced in such a project. Bob himself provided his usual high-energy, animated approach to speaking. His outspoken point of view was well received by attendees, particularly one caustic response to a question about the need for digital signatures in e-filing programs.

Day two also started with a rousing session, this time on the subjects of privacy and public access. The most attention went to Judge John Dooley of the Vermont Supreme Court, who spoke fervently of the need for systems that are both inclusive and comprehensive. His remark that the state took 18 months to complete a project expected to take only six captured the attention of the audience, as did

his remark that the biggest obstacle of any e-access project is that "the job is never done."

Other highlights of the conference included an XML presentation by Jim McMillan, live demonstrations by seven vendors and a spirited open microphone question and answer session with the faculty on the closing day.

This last engaged participants in discussions on outsourcing, e-signatures, implementation issues, readiness assessment and the future of national standards. (Jim McMillan on the last point, "we're still three years away.")

Shogan Naidoo, CEO of CounterClaim (who attended as a student) best summed up the overall impression of the majority of attendees when he said, "If you wanted to find out about the state of e-filing around the country, this conference covered all the issues." ●

## Advisory Board

### EDITOR-IN-CHIEF

**Tom O'Connor**

### BOARD OF EDITORS

**Chairman: James I. Keane**

James I. Keane & Co.  
North Potomac, MD

**Andrew Z. Adkins, III**

Director, Legal Technology Institute  
University of Florida,  
Levin College of Law  
Gainesville, FL

**W. Scott Blackmer, Esq.**

**John L. Douglas**

Alston & Bird LLP  
Atlanta

**James E. MacMillan**

Director, Court Technology Laboratory  
National Center for State Courts  
Williamsburg, VA

**Scott Schumacher**

Director, WestFile  
Laguna Beach, CA

**Dr. Mohammed Shaikh**

Chairman, E-Filing  
Santa Barbara, CA

**Ronald W. Staudt**

Professor of Law,  
Associate for Law Business &  
Technology  
Chicago-Kent School of Law,  
Chicago

**Thomas P. Vartanian**

Fried, Frank, Harris, Shriver  
& Jacobson  
Washington, D.C.

## E-Filing Report

Published by GLASSER LEGALWORKS

150 Clove Road, Little Falls, NJ 07424

Phone: (973) 890-0008;

Fax: (973) 890-0042

E-mail: [orders@glasserlegalworks.com](mailto:orders@glasserlegalworks.com)

Web Site: <http://www.glasserlegalworks.com>

Stephen A. Glasser, Chairman

Lynn S. Glasser, President

Stephen W. Seemer,

Executive Vice President

Kathleen Brady, Executive Editor

One year subscription, 10 issues, \$195.

Please address all editorial correspondence to the Editor at [toconnor@cybersleuther.com](mailto:toconnor@cybersleuther.com). All other correspondence concerning rates and subscriptions should be addressed to the publishers at [orders@glasserlegalworks.com](mailto:orders@glasserlegalworks.com). While the publishers make every effort to insure the accuracy of information published in E-FILING REPORT, they make no warranties to the accuracy of any information stored on a Web site or other Internet source mentioned in this publication, particularly when that data is to be relied upon for making legal judgments. All contents © 2001, Glasser LegalWorks. All Rights Reserved. Please cite this publication as (Author), (Title), E-FILING REPORT, (Month, Year) at (Page #).

# Electronic Filing in the Federal Courts: A Status Report

by **Sharon D. Nelson, Esq. and John W. Simek\***

When was the last time you saw the words "federal government" and "trailblazer" in the same sentence? Nonetheless, "trailblazer" is the appropriate word to describe the role that our federal judiciary has played in the development of electronic filing of court pleadings. Beginning in January 1996, when the first federal court began allowing the electronic filing of pleadings and continuing to the present, the federal judiciary has compiled an impressive record of successes.

To ascertain the current status of federal e-filing and the probable roadmap for its future, the authors interviewed Gary Bockweg, Manager of Case Management and Electronic Case Files, the Administrative Office of the U.S. Courts, and Mel Bryson, the AO's Assistant Director of the Office of Information Technology. (The federal Electronic Case Files system (ECF) is overseen by the AO; see "Talking with ... Mike Greenwood" in the November/December issue of *E-Filing Report*.)

Both Bockweg and Bryson pronounce themselves pleased with the reaction of the courts, judges and attorneys to ECF. They believe the federal judiciary, from the outset, made two key fundamental decisions correctly—to use the Internet and to require that documents be in Adobe's PDF (Portable Document Format) to maintain formatting across all platforms.

ECF has been a triumph from the beginning. As the states struggle with varying private solutions and experience varying degrees of success and failure, the federal courts continue to roll out ECF software upgrades and expand the number of courts using the system. Have they hit a few potholes in the road? Sure. More on that later, but here is the impressive record thus far.

As of November 2000, the following federal courts have implemented the ECF system:

- District Courts—the Western District of Missouri, the Eastern District of New York, the Northern District of Ohio, and the District of Oregon.
- Bankruptcy Courts—the District of Arizona, the Southern District of California, the Northern District of Georgia, the Southern District of New York, and the Eastern District of Virginia.

The Court of Appeals for the District of Columbia and the Fourth Circuit Court of Appeals have laboratory experiments operative.

Six more courts are scheduled to implement ECF by the end of the year with an additional 40 joining the system by the end of 2001, and 50 more coming on board in each subsequent year. Currently, it is projected that all federal courts will have ECF in place by the end of 2004 or the beginning of 2005.

The statistics bear witness to the high degree of acceptance electronic filing has received. Over 10,000 lawyers have registered with the federal system, over 4,300 have actually filed, and more than 600 members of the federal court staff have received training. Excluding the asbestos cases from the Northern District of Ohio, more than 108,000 cases have been filed electronically thus far, an average of 7,000 per month. Saving trees? You bet. More than 1.2 million documents have been filed to date.

*\*The authors are the President and Vice President of Sensei Enterprises, Inc., a legal information technology firm based in Fairfax, VA. (<http://www.senseient.com>). Sensei has developed the electronic filing system for Fairfax County Circuit Court, which is the test pilot system for the state of Virginia.*

## Why has the federal system been so successful?

The AO has carefully followed the KISS principle: Keep It Simple Stupid. The learning curve for ECF isn't steep. Did you have any trouble learning the rules for Candyland and Chutes and Ladders? If not, you won't have any problem mastering federal electronic filing.

## What are the essential steps in e-filing?

Lawyers (or staff) create a document on their word processing software, "print" it as a PDF file (it doesn't really print, but rather creates a file in PDF format, which you then save to your hard drive), connect to the Internet, log on to the ECF system, specify the case in which the document is to be filed, select a docket entry, select the parties, and append the PDF document. At training sessions, lawyers easily master the process in just a few minutes. The entire process (minus the original document creation) takes about two minutes and concludes with an electronic receipt.

## What technology must a lawyer have to participate?

- A PC with Windows, or a Mac
- A word processing program (Word, WordPerfect, etc.)
- Internet access and a browser
- Adobe Acrobat (or other PDF writer)

Most attorneys have everything except Acrobat (cost to practicing attorneys: \$120 by calling 1-888-502-5275—have your Bar number available). Why is Acrobat necessary? To preserve formatting. The Adobe Acrobat Writer produces documents in PDF, which is now a de facto standard in the federal government and private industry. Producing files in this format means that documents you send the court will have their fonts, spacing, pagination, footnotes, tables, indices, etc. preserved exactly as you created them.

## Are all federal systems exactly the same?

No, but the variations thus far are minor. Courts may have a different "look and feel" to their home page, and they produce their own training

and newsletters, etc., but the core of the system remains the same. Bockweg indicated that the AO is currently studying the degree of flexibility that is desirable from court to court. More and more courts are developing custom "add-ons" which work with the federal system to enhance their own workflow methodologies. Naturally, this creates problems when AO enhancements "step on" the local applications and the local court has to retool its prior work to integrate with the new version of the ECF product. The AO has even considered giving courts the source code and allowing individual modifications, but there are serious implications (chiefly, the potential loss of uniformity, the danger that recoding will have unforeseen repercussions and the significant maintenance costs as each application becomes more and more customized), but no decision in that arena has yet been made.

## Is e-filing mandatory?

That is a local court decision. In the Bankruptcy Court for the Eastern District of Virginia, Chapter 7 filings must be electronic. Each court is making its own determination, but as the comfort level with ECF increases, more courts will certainly choose to forego paper entirely.

## When is a document considered filed?

A critical question, but you need to check local court rules. The ECF system itself is open for business on a 24x7 basis, but local courts may determine whether 11:59 p.m. means "filed that day" or "filed first thing in the morning on the next business day." The majority of courts use the "day clock"—if a document is filed before midnight, it is filed that day. For those attorneys who rely on procrastination as a business method, this is a godsend. But if your Internet connection goes down at 11:55 p.m. and doesn't come up for 15 minutes, the attorney is SOL (this is a technical term meaning "Sorta out of luck"). If you file at the last minute, the risk of a technical failure falls on the attorney.

## Mishaps?

A few, but Bockweg and Bryson say they have been very limited. There have been infrequent technical glitches, but no disasters. Thus far, there have been no hacking incidents or penetration of the system by viruses or worms, though security remains a constant concern. Unlike the average law firm, of

course, the federal courts are religious in updating their virus signatures to ward off the latest and greatest creation of the virus and worm writers. How is security effected? In simplest terms, the federal system employs a "clean" server behind a fire-wall and a "dirty" server in front of it. Normal users of the system have no access to the clean server, and therein lies the system security.

## What's wrong with ECF?

Nothing new debuts without criticism. The chief complaint has been that the ECF system isn't as fast as it could be. The original technology used, unsurprisingly, became "clunky" as all technologies do in an appallingly short time. The AO continues to target "speed of download" as the most desired improvement of its system. The second most frequent complaint involves communication about the ECF system, which is primarily a local issue. Courts need to provide ECF users with frequent training, a lot of hand holding and constant notification about enhancements and changes.

## Do all Internet users have access to federal court filings?

At the moment, the answer in federal court is yes. But the courts are rethinking their earlier decision. The #1 hot topic in the entire e-filing world, in both state and federal courts, is the tension between the right of public access and privacy rights. Do the details of your divorce belong on the 'Net? Your medical history? Your credit card numbers? Your child's juvenile scrapes with the law? While anxious to keep the process of government open to the public, the courts are examining their obligation to protect the private information of individuals. Technology itself creates mischief, as malefactors create Web bots and other devices to collect and sift data for their own ends, sometimes using the data for criminal purposes and sometimes using it for irritating marketing efforts by phone, fax and e-mail. As Bryson wryly noted, "We're going to wrestle with this issue for a long, long time."

The Judicial Conference has appointed a Committee on Court Administration and Case Management that meets twice a year and is intently studying this controversy. One proposal involves creating an electronic "holding area" in which documents are officially filed, but not publicly viewable

until some period of time has passed in which either party may request that the document be sealed. While the Committee is deliberating, the AO is putting together a matrix of all current state approaches to this problem, which should be posted on its Web site by spring of 2001.

## Are digital signatures required?

Though digital signatures have been validated by federal law, federal courts will continue to use a password/ID system to constitute a legal signature for the foreseeable future. Thus far, this simple system has performed admirably, and Bockweg and Bryson say the federal courts will wait until digital signature technology standardizes before embracing it.

## What about *pro se* filers?

The AO has not yet fully addressed the problem of *pro se* filings but currently handles those filings through court imaging of documents and courthouse kiosks that can be easily utilized by *pro se* filers.

## What about XML?

XML, the trendy byword of the e-filing world, is on the AO's radar screen, but thus far the AO remains content to be a spectator. XML (Extensible Markup Language) is a tagging system that may ultimately allow a great deal of useful information to be parsed from legal documents, and, as an example, used to channel documents and information through the case management workflow process. So far, there is no adopted, enforceable XML standard, and private companies have developed many XML "flavors." Should Adobe, the maker of Acrobat software, integrate XML with its product as planned, Bockweg and Bryson think it likely that the federal courts would utilize Adobe's brand of XML.

## What have we gained thus far?

While paper won't disappear from courts in the short term, ECF has already proven its worth. Lost files are a thing of the past. The time consumed in transferring files from place to place has evaporated. Judges and counsel need not carry bulky files to their homes or pack extra suitcases while traveling. When used in conjunction with case management, ECF speeds workflow and provides real time docket

entries. The expenses of couriers, postage, and runners have diminished. Service of process is simpler and cheaper. Last but certainly not least, in the end we will vastly reduce the number of sacrificial trees required to indulge our litigious society.

## What can the states learn from the federal system?

First, that the federal system works and that they may not need to reinvent the wheel. Second, that it may be very desirable to have state systems which more or less follow the federal methodology so that users of the state system and the federal system are not confused as they move back and forth between the two. Third . . . be careful.

### *A caution for states undertaking e-filing*

Beware of companies that say they have e-filing contracts with federal courts. While several may have limited contracts, *e.g.*, on a single case basis, no private company has a generic e-filing contract with an entire federal court, though there are a number of companies making that claim or suggesting it in their promotional materials. ***Caveat emptor.*** They are more likely to have an imaging contract, or some other technical contract. In general, federal courts use the AO ECF system and that will continue for the foreseeable future.

### *Another caution for states*

In the beginning, the AO was the "trusted third party" that held the data for participating ECF courts. Even within the federal system, courts have ultimately decided that they wish to hold their own data, and plans are in place to move data from the AO's servers to those of each federal court. One aspect of this move is that performance of the ECF system will improve. Another is that federal courts have shown a strong preference for maintaining control of their own databases, which will probably be amplified in state courts. The inherent risks of having court records (with no paper backup) in the hands of a private party have not been enthusiastically greeted by many state court officials entrusted with safeguarding these records.

## Will the AO ever enter into an e-filing relationship with private companies?

It is true that the AO has considered the possi-

bility of ultimately hooking up with private firms to exchange resources and hasten the development of e-filing upgrades by sharing information and using the vaster programming resources of the private sector. So far, no decision has been made to do so, but stay tuned. Both Bockweg and Bryson emphasized that any such decision would involve multiple companies and that no exclusive arrangements would be considered.

### *So where are the federal courts going now that they have a beachhead?*

The AO itself is continuing to debate internally and with feedback from participating courts. Nothing is static—and in the technological world, what you roll out today is obsolete on the day it is introduced. One prominent change in the ECF system is that it is now CM/ECF—case management and electronic case filing. The AO is emphasizing to the courts that ECF includes case management to expedite cases through the normal workflow process. However, the two systems remain divisible so that paper cases can be scanned into the system and then moved through the new case management system. As previously indicated, more local flexibility may be allowed, and more interplay with private companies. The AO remains committed, in part, to evolving with the changing nature of technology, and to watching, studying, and incorporating new technology as it proves its worth.

## The final prediction?

The remarkable pioneering efforts of the federal courts will be hard to maintain. The AO, having done a first class job to date, is going to be stretched thin by having to support so many courts across the nation and by the demands of keeping up with the technology blitzkrieg. However, the AO has recognized its limitations, and Bockweg and Bryson are clearly looking to a changing role for the AO as e-filing evolves, perhaps involving a higher tier support role, public policy making, public/private alliances, and other innovative approaches to supplying federal courts with technological advances and guidance for using them. As the federal courts approach technological warp speed, the AO deserves high marks for its trailblazing work. ●

# The Future of E-filing for the Legal Community

by **Dave Glynn\***

The two greatest challenges faced when it comes to implementing court electronic filing will be (1) convincing the courts and the lawyers to reengineer the way they currently handle court filings and (2) laying out the funds necessary to accomplish the task at hand. The funding from the courts has to be dictated by the legislature and respective county governing boards. They must be convinced that, in the long run, e-filing is a cost-effective practice. For the lawyers, either a vendor will provide a software application at a cost or the firm will purchase the necessary equipment to follow the new filing requirements.

The most successful e-filing structure will involve a case management database at the court level that can be populated by smart document filings. XML is currently being touted as the format for filing documents because it can provide tagging, content/database and formatting instructions. The case management database must provide for scheduling of advance hearings and must be able to keep an historical record of the case docket. The court must also have an e-commerce or e-business application that ties directly to the case management database. This accounts for fees, transactions and payment scheduling. The business application must also be tied to the court's general ledger or other accounting system. Finally, imaged copies of the documents must be stored in a document management database and connected to both the e-commerce application and the case management database.

The court must provide either a customer front-end application or an API through which vendors can offer the interface service to both lawyers and the general public for filing with the courts. The lawyers/general public would ideally have a document assembly application that would enable them to complete the forms for filing with the court. This would translate the filing into XML code to provide direct population into the court's case management database when the filing is accepted. If the lawyer is drafting a brief, the brief

must be converted into an XML document to provide the same population of the court's case management database. Automatic receipts would be built into the application and returned to the filer to acknowledge completion of all transactions.

There are two major driving forces in getting the customer legal community to participate in e-filing programs. The first would be a mandate from either the legislature or the court forcing participation in the program. The second would be cost-effectiveness and other premium benefits, *e.g.*, real-time remote access to the court docket, imaged documents on demand, etc. However, to build momentum for e-filing programs, pilot projects must be instituted. The court and the legal community would most likely test an e-filing program before absolute funding would take place. Vendor assistance could come in the form of equipment and consulting in exchange for contractual consideration for the final project/product.

One of the trends to be noted, at least in the Chicago area, is the movement toward the government's independence from private businesses. The City of Chicago, for instance, recognizes the need to use private businesses to get technology systems set-up, however, the city would like to retain its own control and maintenance over the infrastructure once in place.

The courts will find more success in offering a blanket API, in lieu of using exclusive vendors to provide a user interface to e-filing systems. The vendor can then be responsible for marketing and promoting e-filing to the private sector and, most importantly, will provide the technical support

**\* Dave Glynn is the Director of Product Development at Law Bulletin Publishing Company.**

necessary to keep the customer interface functional and current. The court does not have the staff or the ability to visit every law firm in the city and support a user interface. The private vendor has the incentive to provide the interface and support it because the vendor can offer ancillary products that benefit both the lawyers and the private entity.

The court must account to the public and may work with the vendor to supply a public interface that can be accessed from the Internet or a public access kiosk. Most vendors would offer these in exchange for the ability to develop and market an e-filing interface application.

Finally, standards must be set so that courts can adopt the same system for e-filing. This is a difficult task and one that is still under development in many, if not most, jurisdictions. It requires the expertise of the courts, the private sector and technologists. Most importantly, it will require agreement, or at least some consensus, among all parties, and that will not be easy to accomplish. ●

## **E-Filing: How One Vendor Uses Internet Friendly "XForms"**

### **The Background**

Form design and the "look and feel" of a form have become important aspects of every commercial business over the last century, the form being a "touch point" between the customer and the commercial organization. More recently, considerable resources have been invested in creating a computer-based graphical look and feel for forms, and as a result, form creation and printing has become a multi-billion dollar industry.

Commercial organizations use these forms to collect data from their customers. The collected data is then input into the line of business applications for multiple reasons. The constant modification of forms to satisfy an organization's data collection needs has become an onerous task resulting in a number of companies offering forms creation software. This ability to audit forms and their associated data, along with the subsequent ability to manipulate the data (which often includes data mining), has made the entire forms industry an integral part of the IT revolution.

That revolution has now spread from the commercial world to the government sector. The IRS alone spends millions of dollars each year for the creation and maintenance of tax forms. But are the needs of government organizations the same as those of commercial entities?

Form design for the latter generally involves:

- (1) Identifying data needs;
- (2) Artistic creation of forms;
- (3) Designing content and "look & feel"; and
- (4) Printing and distribution considerations.

However, forms exchange between citizens and government agencies involves several further considerations. These include:

- (1) Security concerns;
- (2) Privacy concerns;
- (3) Cost of implementation;
- (4) Data exchange requirements across enterprise; and
- (5) Document/e-record storage and retention requirements.

These issues are important and require comprehensive e-government planning, but pressure from constituents and elected officials may lead to haphazard e-government form development. For example, a recent survey found that 90% of federal agencies have an e-government strategy; while only 78% of states do. At the same time, too much planning and too little progress can leave governments in a "cultural time warp."

So how does a government agency that generally works slowly react to citizen demands for action in Internet time? Intel chairman Andy Grove once said, "Internet time is about three times as fast as clock time. The government works on government time, which is about three times as slow. That's a nine fold difference."

### **XML to the Rescue**

XML (extensible mark up language) has evolved in recent years to become an important tool for data exchange between Web portals and LOBs (line of business applications). Using that same theory from the commercial world, E-Filing.com has created eQuickPortal to provide a simple tool for a government agency to collect data using the existing Web page and XForms.

In addition, by using Electronic Document Acceptance & Routing (EDAR), the government agency can provide a complete and secure way to accept and verify data before any integra-

tion with LOB. EDAR is also interactive, solving the problem of providing a confirmed copy back to the sender once the filing is accepted by the government agency.

### **XForms**

E-Filing.com has created its XForms software as a way for government agencies, including courts, to convert existing forms to an XML compatible template that will automatically tag all the data that is input onto the form. The tagged data and an image of the form submitted allow government agencies to create digital forms (or e-records), which meet document archival requirements and standards and, at the same time, provide tagged data for verification and integration with other applications, such as the courts CMS system.

E-Filing.com provides this software at no cost to its clients. The court or other government agency can use existing forms or create and configure new forms at an internal cost of approximately \$0.15 per form. Some basic technical knowledge is required to use the XForms software (preferably experience with an HTML editor), but once mastered, the software allows the court to host forms on its Web site. The forms can be filled in and submitted over the Internet. ●

# E-Filing Projects Around the Nation

by **Tom O'Connor\***

## STATE COURTS

### Arizona

The state committee studying possible e-filing standards has apparently dropped its support for a PDF standard and is now awaiting developments from the Legal XML group to see if that standard may be more appropriate. Maricopa County is, however, still leaning toward PDF as the standard, although Division 2 of the Court of Appeals is allowing filing in any format.

Meanwhile, electronically enabled courts are becoming more widespread in the state. Two new federal courts are completely wired, with plans to wire at least eight state courts in Maricopa County. Between state and federal implementations, there might be as many as 30 e-courts statewide by the end of the year.

### California

Domestic violence advocates in Tulare County can now file emergency restraining order applications, and domestic violence and child abuse claims for domestic violence victims over the Internet. A grant from the Tulare County Superior Courts funded technology by E-Filing.com that allows a domestic violence victim to call an advocate, who then files the necessary form via the Internet.

Judge Stuart R. Pollak of the San Francisco Superior Court has ordered the electronic filing (via the CourtLink e-file system) of all documents in the Microsoft and related cases being heard in his court. The Judge felt that e-filing was needed to increase court efficiency and to manage the volume of filings that might result from a lawsuit of this magnitude.

Both Los Angeles and Ventura Counties have released RFP's for electronic case management systems. Although neither RFP includes a request for e-filing, they both ask for the responding vendors to explain how its CMS solution can work with an e-filing system.

Finally, the California XML group is moving forward with proposed technical standards for e-filing. The standards were drawn up to act as the basis for electronic filing projects in California and

were presented at a meeting in November. A second meeting to discuss the EFM-to-CMS API was held in Las Vegas the day before the ICM Electronic Filing—Privacy & Public Access Conference 2000. For more information, see the California XML site at <http://www.legalxml.org/California/>.

### Colorado

The statewide CourtLink e-filing system is adding 21 counties during the month of January. For a complete list to date, see <http://www.courtlink.com/about/whatsnew.html#colorado>.

### Delaware

The Superior Court of Delaware has adopted Rule 107(h), which allows parties to file briefs on hyperlinked CD-ROM disks. Notice of intention to so file must appear on the cover page of the hard copy, and the CD-ROM must contain images or text copies of all cited authorities. For more information, see the court site at <http://courts.state.de.us/superior/tech.htm#tech4>.

### District of Columbia

CourtLink has signed an agreement with the District of Columbia Superior Court to begin e-filing in 1,000 mass tort cases followed by implementation of general civil cases during the summer of 2001. CourtLink will then implement each remaining court division over the next two years.

### Florida

Duval County is working with CMS vendor CCI-Maximus on a pilot project using that company's new e-filing product. For more see the "Top of the News" column in this issue.

### Georgia

The Georgia Courts Automation Commission pilot project is back online after a delay while the

**\*Tom O'Connor is the Editor-in-Chief of E-Filing Report.**

state Attorney General reviewed the proposed vendor agreements.

## Iowa

The Judicial Branch of the State of Iowa has issued a Request For Proposal to provide the State Court Administrator with scanners, EDMS software, workflow software, and connectivity to deliver an Electronic Data Management System to the Judicial Branch. The RFP includes an e-filing component and expresses a desire to contract with a single vendor to provide both hardware and software. Responses were due by January 12. Twenty-five vendors have filed a Notice of Intent to Respond, including Gov24.com, E-Filing.com, SCT (with CourtLink answering the e-filing section), KPMG and Deloitte & Touche. The project is on a fast track for implementation with a pilot project scheduled to begin on March 5.

## Illinois

A committee of the Illinois Supreme Court has been set up to approve standards for e-filing pilot projects. The committee, headed by Judge Stephen Schiller, is currently awaiting passage of a specific e-filing enabling rule by the Illinois Supreme Court.

## Minnesota

The State of Minnesota has announced that it has awarded the bid for a unified state CMS, with an e-filing component, to Sustain. SCT and Courtlink had submitted a combined bid.

## New Jersey

The state is proceeding with plans to implement the pilot project developed in Monmouth County on an Internet platform being developed by IBM using its WebSphere technology.

## Ohio

The Hamilton County Court of Common Pleas (which has jurisdiction over Cincinnati) is doing a pilot project with its CMS vendor, ProWare.

## Pennsylvania

Verilaw Technologies has announced new projects with the Pennsylvania Courts of Common Pleas of Erie, Lancaster and Delaware Counties. For more information, see [www.verilaw.com](http://www.verilaw.com).

## Texas

Bexar County District Court Clerk, Reagan E. Greer, has reportedly awarded an e-filing contract to Tiburon, Inc. of Salt Lake City. Target date for implementing civil e-filing is June 1, 2001.

## Utah

The 3rd District Court is in discussions with e-filing vendors to handle a series of asbestos cases currently being heard by that court.

## Virginia

Fairfax County Circuit Court will undertake the first electronic filing pilot in Virginia. Both state law and the Rules of the Supreme Court of Virginia have been changed to allow for the electronic pilot, which will debut in January 2001. Sensei Enterprises, Inc. ([www.senseient.com](http://www.senseient.com)) developed the project, not the law firm of Nelson & Wolfe, as mistakenly reported in this column last month. (Nelson & Wolfe partner Sharon Nelson is a principal in Sensei Enterprises). For more information, see <http://www.co.fairfax.va.us/courts/circuit/ecf>.

## Wisconsin

Milwaukee County Superior Courts is now using technology from E-Filing.com to allow court-certified domestic violence advocates to file emergency restraining orders over the Internet. A victim can call an advocate who then logs on to [www.e-filing.com](http://www.e-filing.com) and files directly over a secured Web site. In emergency situations, the electronic filing server sends an instant page to a court commissioner beeper. After getting the page, the commissioner can log on and immediately approve a temporary restraining order, allowing police to step in and end a dangerous situation. The Milwaukee system also stretches beyond temporary restraining orders, allowing advocates to file domestic violence and child abuse claims for victims directly over the Web site. ●

# A Conversation with Orange County's Alan Slater

*E-Filing Report* Editor-in-Chief Tom O'Connor had a lengthy conversation last month with Alan Slater, Chief Executive Officer of the Orange County California Superior Court, about the e-filing project currently under development in that court.

**TO:** *What have been the positives and negatives of implementing an e-filing project in a large court?*

**AS:** Well, the biggest positive has been the amount of talented resources each vendor brings to the project. Our court simply didn't have the internal resources to design and produce an e-filing solution of this size and complexity. West in particular devoted an enormous amount of time talking with end users and working on the user interface.

The biggest negative was just the huge challenge of coordinating the work of four major vendors; it required a person with both technical expertise and a firm working knowledge of how the court operates, which luckily I have in Mary Lou. (**Ed Note:** Mary Lou DesRochers is Executive Director of Planning, Research & Consulting Services for the court.)

**TO:** *What do you think is unique about your project?*

**AS:** Our model for approaching e-filing is unique in that we have extensive integration of our internal systems planned by design from the beginning of the project. Also, we did not want e-filers to be interacting directly with our "live" CMS/DMS so we required a mirrored system, which was a challenge. Secondly, we have entered into a large program of converting old files to images so that public access to the system

would involve all files and not just those that were filed electronically.

The other unique factor is what I mentioned earlier, the complexity of the technology involved. We have several complex databases for our CMS and DMS, which have undergone version changes during the life of the project. In addition, the replication issues to avoid direct end user input into our production systems presented some real challenges.

What I found was that, if you took the front end to the system by itself, it was hard, and if you took the back end by itself, it was hard. But the technology to make it work in the middle is the really tough part.

**TO:** *How much consideration was given to the current workflow process of the court?*

**AS:** That was a major concern from the beginning. We knew that introducing e-filing would involve some degree of re-engineering our workflow process. Luckily, we had vendors that understood that the court knew the system better than they did and listened to what we wanted to change. The result is that a number of people who spent an enormous amount of time just moving paper around will now be free to perform other functions, including increased counter service.

**TO:** *If you were starting the project today what would you do differently?*

**AS:** Well, we wouldn't change the design at all; I think that we have what we were aiming for there. In fact, I'm confident we have the right solution. There are two things I would

do slightly differently though. First, even though we have spent a great deal of time concentrating on the user interface, I might devote even MORE time to that piece. You only have one shot at getting attorneys on board, and you really have to make an all out effort to do that. We've done that, but I don't think you can do it enough.

Second, I'd spend more time up front developing smart forms. The San Diego Bankruptcy Court experience has convinced me that developing smart forms is an essential part of doing e-filing right. West is developing XML-compliant forms for our system, and I think that's something that needs to be considered right from the beginning of any e-filing project.

**TO:** *What advice would you give a court that is getting ready to develop e-filing?*

**AS:** First, get everyone on the project agreed on the concept and technology you're going to use right at the start. This commitment to the concept lets you keep your eye on the objective if technology changes, which it

will, or if there are other changes to the landscape, such as mergers or buyouts.

Second, listen to your customers. You must give them value in the e-filing system to make it something they want to use. Remember, the court is at the other end of the pipeline from the lawyers' desktops, so you can forget to include their perspective. That's why we worked with West, they have the experience at teaching, training and supporting lawyers and customizing applications for their desktops that we could never duplicate.

Third, design and test a pilot project. A good pilot project brings up trouble spots you didn't think about and shows you how productive the system can be when it works. It can be the basis for a solid system wide design.

**TO:** *Any final words of advice?*

**AS:** Just remember that in any large court you are going to be faced with constant hurdles. Have lots of patience and don't give up. It's worth it. ●

## In Depth: Privacy and Electronic Access to Court Files

This month, our In Depth column looks at the upcoming developments in the deployment of the new Case Management/Electronic Case Files (CM/ECF) by the Federal AOC. This new system allows courts to create electronic case files by giving attorneys the ability to file documents over the Internet. The courts can then also use the Internet to provide public access to these electronic files.

The increased usage of e-filing systems has, however, raised concerns in the federal arena about privacy issues with regard to electronic case files being widely available on the Internet. With that in mind, the Committee on Court Administration and Case Management of the U.S. Judicial Conference has asked for public comments on the CM/ECF system. The Committee has drafted an excellent description of the system along with proposed

Policy Alternatives. A copy of the Committee report and its request for comments is set forth below for your review.

### JUDICIAL CONFERENCE OF THE UNITED STATES

Committee on Court Administration and Case Management Subcommittee on Privacy and Electronic Access to Court Files Notice of Request for Public Comment

**AGENCY:** Judicial Conference of the United States, Committee on Court Administration and Case Management, Subcommittee on Privacy and Electronic Access to Court Files.

**ACTION:** Notice of request for public comment.

**SUMMARY:** The Court Administration and Case Management Committee of the Judicial Conference of the United States, through its Subcommittee on Privacy and Electronic Access to Case Files, is seeking comment on the attached document outlining policies under consideration to address issues of privacy and security concerns related to the electronic availability of court case files.

**DATES:** Comments will be accepted from November 13, 2000 through January 26, 2001.

**ADDRESSES:** All comments should be received by 5 p.m., January 26, 2001. The electronic submission of comments is highly encouraged. Electronic comments may be submitted at [www.privacy.uscourts.gov](http://www.privacy.uscourts.gov) or via e-mail at [Privacy\\_Policy\\_Comments@ao.uscourts.gov](mailto:Privacy_Policy_Comments@ao.uscourts.gov). Comments may be submitted by regular mail to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn: Privacy Comments, Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

**FOR FURTHER INFORMATION CONTACT:** Abel J. Mattos, Chief, Court Administration Policy Staff, Administrative Office of the United States Courts, One Columbus Circle, NE., Washington, DC 20544, telephone (202) 502-1560, fax (202) 502-1022.

Dated: November 1, 2000.  
Abel J. Mattos,  
Chief, Court Administration Policy Staff.

## Request for Comment on Privacy and Public Access to Electronic Case Files

The federal judiciary is seeking comment on the privacy and security implications of providing electronic public access to court case files. The Judicial Conference of the United States is studying these issues in order to provide policy guidance to the federal courts. This request for public comment addresses several related issues: The judiciary's plans to provide electronic access to case files through the Internet; The privacy and security implications of public access to electronic case files; Potential policy alternatives and the appropriate scope of judicial branch action in this area. The judiciary is interest-

ed in comments that address any of the issues raised in this document, including whether it is appropriate for the judiciary to establish policy in this area. All comments should be received by 5 p.m. January 26, 2001 and must include the name, mailing address and phone number of the commentator. All comments should also include an e-mail address and a fax number, where available, as well as an indication of whether the commentator is interested in participating in a public hearing, if one is held. The public should be advised that it may not be possible to honor all requests to speak at any such hearing. The electronic submission of comments is highly encouraged.

Electronic comments may be submitted at [www.privacy.uscourts.gov](http://www.privacy.uscourts.gov) or via e-mail to [Privacy\\_Policy\\_Comments@ao.uscourts.gov](mailto:Privacy_Policy_Comments@ao.uscourts.gov). Comments may be submitted by regular mail to The Administrative Office of the United States Courts, Court Administration Policy Staff, Attn: Privacy Comments, Suite 4-560, One Columbus Circle, NE., Washington, DC 20544.

## Electronic Public Access to Federal Court Case Files

The federal courts are moving swiftly to create electronic case files and to provide public access to those files through the Internet. This transition from paper files to electronic files is quickly transforming the way case file documents may be used by attorneys, litigants, courts, and the public. The creation of electronic case files means that the ability to obtain documents from a court case file will no longer depend on physical presence in the courthouse where a file is maintained. Increasingly, case files may be viewed, printed, or downloaded by anyone, at any time, through the Internet. Electronic files are being created in two ways. Many courts are creating electronic images of all paper documents that are filed, in effect converting paper files to electronic files. Other courts are receiving court filings over the Internet directly from attorneys, so that the "original" file is no longer a paper file but rather a collection of the electronic documents filed by the attorneys and the court. Over the next few years electronic filing, as opposed to making images of paper documents, will become more common as most federal courts begin to implement a new case management system, called Case Management/Electronic Case Files (or "CM/ECF"). That system gives each court the

option to create electronic case files by allowing lawyers and parties to file their documents over the Internet. The courts plan to provide public access to electronic files, both at the courthouse and beyond the courthouse, through the Internet. The primary method to obtain access will be through Public Access to Court Electronic Records (or "PACER"), which is a Web-based system that will contain both the dockets (a list of the documents filed in the case) and the actual case file documents.

---

**This transition from paper files to electronic files is quickly transforming the way case file documents may be used by attorneys, litigants, courts, and the public.**

---

Individuals who seek a particular document or case file will need to open a PACER account and obtain a login and password. After obtaining these, an individual may access case files—whether those files were created by imaging paper files or through CM/ECF—over the Internet. Public access through PACER will involve a fee of \$.07 per page of a case file document or docket viewed, downloaded or printed. This compares favorably to the current \$.50 per page photocopy charge. Electronic case files also will be available at public computer terminals at courthouses free of charge.

### **Potential Privacy and Security Implications of Electronic Case Files**

Electronic case files promise significant benefits for the courts, litigants, attorneys, and the public. There is increasing awareness, however, of the personal privacy implications of unlimited Internet access to court case files. In the court community, some have begun to suggest that case files—long presumed to be open for public inspection and copying unless sealed by court order—contain private or sensitive information that should be protected from unlimited public disclosure and dissemination in the new electronic environment. Others maintain that electronic case files should be treated the same as paper files in terms of public access and that existing court practices are adequate to protect privacy interests. Federal court case files contain personal and sensitive information that litigants and third parties often are compelled by law to disclose

for adjudicatory purposes. Bankruptcy debtors, for example, must divulge intimate details of their financial affairs for review by the case trustee, creditors, and the judge. Civil case files may contain medical records, personnel files, proprietary information, tax returns, and other sensitive information. Criminal files may contain arrest warrants, plea agreements, and other information that raise law enforcement and security concerns.

Recognizing the need to review judiciary public access policies in the context of new technology, the Judicial Conference is considering privacy and access issues in order to provide guidance to the courts.

---

**[A]ll case file documents, unless sealed or otherwise subject to restricted access by statute or federal rule, have traditionally been available for public inspection and copying.**

---

The Judicial Conference has not reached any conclusions on these issues, and this request for public comment is intended as part of the Conference's ongoing study. The judiciary has a long tradition—rooted in both constitutional and common law principles—of open access to public court records. Accordingly, all case file documents, unless sealed or otherwise subject to restricted access by statute or federal rule, have traditionally been available for public inspection and copying. The Supreme Court has recognized, however, that access rights are not absolute, and that technology may affect the balance between access rights and privacy and security interests. *See Nixon v. Warner Communications, Inc.*, 435 U.S. 589 (1978), and *United States Department of Justice v. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989). These issues are discussed in more detail in an Administrative Office staff paper, "Privacy and Access to Electronic Case Files in the Federal Courts," available on the Internet at [www.uscourts.gov/privacyn.pdf](http://www.uscourts.gov/privacyn.pdf).

### **The Role of the Federal Judiciary**

The judiciary recognizes that concern about privacy and access to public records is not limited to the judicial branch. There is a broader public debate about the privacy and security implications of information technology. Congress has already

responded to some of these concerns by passing laws that are designed to shield sensitive personal information from unwarranted disclosure. These laws, and numerous pending legislative proposals, address information such as banking records and other personal financial information, medical records, tax returns, and Social Security numbers. The executive branch is also concerned about implications of electronic public access to private information. Most recently, the President directed the Office of Management and Budget, the Department of Justice, and the Department of Treasury to conduct a study on privacy and security issues associated with consumer bankruptcy filings. Accordingly, the judiciary is interested in receiving comment on the appropriate scope of judicial branch action, if any, on the broad issue of access to public court records, and the corresponding need to balance access issues against competing concerns such as personal privacy and security.

## Policy Alternatives on Electronic Public Access to Federal Court Case Files

Regardless of what entity addresses the issues of privacy and electronic access to case files, the effort must be made to balance access and privacy interests in making decisions about the public disclosure and dissemination of case files. The policy options outlined below are intended to promote consistent policies and practices in the federal courts and to ensure that similar protections and electronic access presumptions apply, regardless of which federal court is the custodian of a particular case file. One or more of the policy options for each type of case file may be recommended to the Judicial Conference for its consideration. Some, but not all of the options are mutually exclusive.

### Civil Case Files

1. Maintain the presumption that all filed documents that are not sealed are available both at the courthouse and electronically. This approach would rely upon counsel and *pro se* litigants to protect their interests on a case-by-case basis through motions to seal specific documents or motions to exclude specific documents from electronic availability. It would also rely on judges' discretion to protect privacy and security interests on a case-by-case basis through

orders to seal or to exclude certain information from remote electronic public access.

2. Define what documents should be included in the "public file" and, thereby, available to the public either at the courthouse or electronically. This option would treat paper and electronic access equally and assumes that specific sensitive information would be excluded from public review or presumptively sealed. It assumes that the entire public file would be available electronically without restriction and would promote uniformity among district courts as to case file content. The challenge of this alternative is to define what information should be included in the public file and what information does not need to be in the file because it is not necessary to an understanding of the determination of the case or because it implicates privacy and security interests.
3. Establish "levels of access" to certain electronic case file information. This contemplates use of software with features to restrict electronic access to certain documents either by the identity of the individual seeking access or the nature of the document to which access is sought, or both. Judges, court staff, parties and counsel would have unlimited remote access to all electronic case files. This approach assumes that the complete electronic case file would be available for public review at the courthouse, just as the entire paper file is available for inspection in person. It is important to recognize that this approach would not limit how case files may be copied or disseminated once obtained at the courthouse.
4. Seek an amendment to one or more of the Federal Rules of Civil Procedure to account for privacy and security interests.

### Criminal Case Files

1. Do not provide electronic public access to criminal case files. This approach advocates

the position that the ECF component of the new CM/ECF system should not be expanded to include criminal case files. Due to the very different nature of criminal case files, there may be much less of a legitimate need to provide electronic access to these files. The files are usually not that extensive and do not present the type of storage problems presented by civil files.

Prosecution and defense attorneys are usually located near the courthouse. Those with a true need for the information can still access it at the courthouse. Further, any legitimate need for electronic access to criminal case information is outweighed by safety and security concerns. The electronic availability of criminal information would allow co-defendants to have easy access to information regarding cooperation and other activities of defendants. This information could then be used to intimidate and harass the defendant and the defendant's family. Additionally, the availability of certain preliminary criminal information, such as warrants and indictments, could severely hamper law enforcement and prosecution efforts.

2. Provide limited electronic public access to criminal case files. This alternative would allow the general public access to some, but not all, documents routinely contained in criminal files. Access to documents such as plea agreements, unexecuted warrants, certain pre-indictment information and presentence reports would be restricted to parties, counsel, essential court employees, and the judge.

### ***Bankruptcy Case Files***

1. Seek an amendment to section 107 of the Bankruptcy Code. Section 107 currently requires public access to all material filed with bankruptcy courts and gives judges limited sealing authority. Recognized issues in this area would be addressed by amending this provision as follows: (1) Specifying that only "parties in interest" may obtain access to certain types of information; and (2) enhancing the 107(b) sealing provisions to clarify that judges may provide protection from disclosures based upon privacy and security concerns.
2. Require less information on petitions or schedules and statements filed in bankruptcy cases.
3. Restrict use of Social Security, credit card, and other account numbers to only the last four digits to protect privacy and security interests.
4. Segregate certain sensitive information from the public file by collecting it on separate forms that will be protected from unlimited public access and made available only to the courts, the U.S. Trustee, and to parties in interest.

### ***Appellate Cases***

1. Apply the same access rules to appellate courts that apply at the trial court level.
2. Treat any document that is sealed or subject to public access restrictions at the trial court level with the same protections at the appellate level unless and until a party challenges the restriction in the appellate court. ●

# Using XML: Problems and Solutions

by *Winchel Todd Vincent\**

(**Editors Note:** last month, the author set forth a definition of XML and its working components, including XML terminology, Electronic Document Formats and DTD's. This month, he goes on to discuss how the XML language is actually being used and potential problems in that usage)

## The Power of XML

The power of XML is the power it gives humans to define custom elements. Using XML, a document author (or Web page designer) is no longer limited to the 90 elements defined by the HTML standard. Instead, new XML elements can be defined to create specific vocabularies. For instance, industry-specific legal elements can be defined for mark-up of legal information within legal documents.

To fully understand the power of XML, it is important to distinguish data from information. It is also important to identify a few rules about the value of information. Data is any and all recorded knowledge everywhere, recorded now or in the future, whether in books, in files, or on computer hard drives. Data is not valuable because data is not retrievable in a time that makes it feasible for humans to digest, either as a result of the data's volume or its chaotic state. For instance, volumes of data may exist about a particular subject matter or a set of circumstances in a particular court case. However, a judge usually cannot wait several months to collect, sort, and digest all of the data from all of the places where the data exists. Because data is not digestible in a meaningful time, it is of no value to the judge in deciding the case.

*Information*, on the other hand, is data that is indexed, sorted, stored, and retrievable within a meaningful time. Information is valuable because it can be digested by a human in a meaningful time. The value of information can be stated as an equation:

$$\text{Information} = \text{accuracy} / (\text{storage time})(\text{retrieval time})$$

This equation can be expanded to what this author calls "Axioms for the Information Age" :

### Time

- Time equals money or quality of life.

### Data

- Data is all recorded knowledge everywhere, whether in books, in files, or on computer hard drives.
- Data should never be inputted twice.
  - Data should be captured electronically at its source.
  - If not at its source, data should be captured as early as possible.
- Data has no value.

### Information

- Information is data that is indexed, sorted, stored, and retrievable in a meaningful time.
- Information is valuable.
- Information loses its value in proportion to the time it takes to process and store it.
- Information loses its value in proportion to the time it takes to store and retrieve it.
  - Information becomes data as storage or retrieval times increase.
  - Information becomes data as its value decreases.
- Information loses its value if it is not accurate.
  - Information loses its value if it cannot be verified.

\* *Todd Vincent is the administrator of the Legal XML Organization and also heads up the Electronic Court Filing Project for the Georgia Courts Automation Commission.*

- Information loses its value if it is not updated.
- Inaccurate information can create legal liability.
- Information can be recycled.
  - Recycling information takes less time if information is in a standard, open, logical format.
  - Recycling information is less expensive if information is in a standard, open, logical format.

The power of XML is that it is a tool that can change data to information. XML does this by making it possible for software to capture identifiable pieces of information, place the information into documents, and then "parse" (extract) information from documents automatically. In the "Address" example used in part one of this article, software could automatically pick out the postal code and other elements of the address without requiring human intervention. In the "Contract" example used in part one of this article, specific clauses of the contract could be automatically extracted, updated, organized, highlighted, and aggregated. This would not be true if all of the information were locked in paper documents or marked-up with HTML elements, such as <FONT>, <BR>, or <P>.

---

### The power of XML is that it is a tool that can change data to information.

---

It does not follow from the analysis above that software will take the place of legal professionals or reduce billable hours for lawyers. What it does mean is that a whole new set of electronic tools can be, and are being, developed to help legal professionals manage information in documents so they can use their time more efficiently to provide higher quality legal services.

### Ancillary XML Standards

XML 1.0 is the World Wide Web Consortium ("W3C") standard referred to when most people say "XML." There are, however, a number of ancillary and related XML standards either promulgated or under development at the W3C. The large number of ancillary standards causes confusion, even for the experts, and takes away much of

XML's promised simplicity. A detailed description of each of these standards is well beyond the scope of this paper. For those interested in exploring them, what follows is an outline with links to the XML standard and several other XML-related standards.

- XML 1.0
  - <http://www.w3.org/XML/> (General Information)
  - <http://www.w3.org/TR/1998/REC-xml-19980210> (The Standard)
- Stylesheets: Cascading Stylesheets (CSS) and eXtensible Stylesheet Language (XSL)
  - CSS
    - <http://www.w3.org/Style/CSS/>
    - <http://www.w3.org/TR/REC-CSS1>
    - <http://www.w3.org/TR/REC-CSS2/>
  - XSL
    - <http://www.w3.org/Style/XSL/>
    - <http://www.w3.org/TR/xsl/>
  - XSLT (XSL Transformations)
    - <http://www.w3.org/TR/xslt>
- Namespaces
  - <http://www.w3.org/TR/1999/REC-xml-names-19990114/>
- XML-Schema
  - <http://www.w3.org/XML/Activity#schema-wg>
  - <http://www.w3.org/TR/NOTE-xml-schema-req>
  - <http://www.w3.org/TR/xmlschema-1/>
  - <http://www.w3.org/TR/xmlschema-2/>
- XLink, XPath, and Xpointer
  - <http://www.w3.org/TR/xlink/>
  - <http://www.w3.org/TR/xpath>
  - <http://www.w3.org/TR/WD-xptr>
- XML Signatures
  - <http://www.w3.org/Signature/>
- Document Object Model (DOM)
  - <http://www.w3.org/DOM/>
  - <http://www.w3.org/TR/REC-DOM-Level-1/>
- XForms
  - <http://www.w3.org/MarkUp/Forms/>

See the W3C's Web site for information on these and other standards.

## The Problems with XML

### *XML is Potentially a "Tower of Babel"*

The problem with XML is its power. Even though gaining the ability to create custom XML elements brings great potential for organizing and making sense of vast quantities of industry-specific information (being dumped onto the Internet every day), this very ability threatens to bring with it an informational XML "Tower of Babel." Indeed, vertical industries, such as legal, healthcare, and banking, have the most to gain from a customizable, Web-based information architecture. Yet, the power individuals and organizations have to build their own vocabularies means there is a great potential for the chaos that will most certainly come if everyone develops their own language.

Indeed, experience has shown that when several creative people independently create legal elements, the result is several different elements and several different element structures for the same information. For example, the following tags are all different and incompatible in XML:

- <CourtFiling>
- <COURT\_FILING>
- <filing>
- <courtFiling>

Intuitively, however, each of these tags conveys the same or similar meaning to a legal mind.

As time passes, more and more software developers will create incompatible XML for the same information. Incompatible XML means different software applications (*i.e.*, users, *i.e.*, lawyers) cannot "talk" to each other. Consider, for instance, the ongoing incompatibility of document formats in Microsoft Word and WordPerfect (even among different versions of the same applications). XML has the potential to increase incompatibility among legal applications by a magnitude far greater than the present incompatibility between Word and WordPerfect. Thus, very clearly, XML, the tool, can be used both wisely and unwisely.

### *There Are No Legal XML Authoring Tools*

Another problem with XML is what it looks like. To most programmers, XML is a user-friendly language because it is easy to read because it is text-based and verbose. For a programmer, XML is a great language because it can be typed into any text

editor. Lawyers and other legal professionals, however, cannot be expected to mark-up their own documents, nor will they care to see tags littering their documents. Authoring a document would be like writing in WordPerfect with "reveal codes" turned on all the time. In short, one of the problems with XML, in the legal industry and in any other industry, is that even if there were standard document formats there are no industry-specific authoring tools to create XML documents.

---

**[O]ne of the problems with XML, in the legal industry and in any other industry, is that even if there were standard document formats there are no industry-specific authoring tools to create XML documents.**

---

Although it is impossible to predict the future, it is likely that that XML standards and authoring tools will evolve in parallel. Stated another way, standards and authoring tools compliment each other and cannot exist without the other. Indeed, to avoid information chaos, the hope must be that application developers (whether vendors or governments) will attempt to develop and use standards as they build applications.

## The Solution?

The solution to the "Tower of Babel" problem and the "authoring tool" problem is to create XML standards. It is easy to see how a standardized XML vocabulary will solve the Tower of Babel problem. That is, if we're all speaking the same language, there is no problem. Standards will also solve, or have the potential to solve, the authoring tool problem as well, but to understand why requires more analysis.

Today, there are two authoring tools used primarily by lawyers—Microsoft Word and WordPerfect. These programs produce incompatible document formats that make it difficult to exchange documents among lawyers who, for whatever reasons, have decided to use different applications. If there were more authoring tools in prevalent use, the incompatibility problem would be more severe, which may, in fact, be a reason why there are not more applications in use and why WordPerfect is quickly losing market share.

There are two alternative solutions to the present incompatibility problem. First, the legal industry could standardize on one document format that could be produced by both Microsoft Word and WordPerfect. Or, the industry could standardize on one word processor for the entire legal profession. Neither option is realistic.

XML, because it is customizable on an industry-by-industry basis (or, at worst, on an organization-by-organization basis), "forks" the world of document formats. Both WordPerfect and Microsoft Word document formats are generic document formats. That is, any industry—healthcare, legal, banking—can use these word processors to write a document. As new, industry-specific document formats are developed in XML, there will be opportunity to create a wide-variety of industry-specific authoring tools. Indeed, even within the legal industry, there are a large number of types and subtypes of documents, including contracts, court filings, judgments, bills and statutes, transcripts, journals and law review articles, to name but a few. Each of these document types, potentially, may require a different authoring tool or authoring system.

Indeed, commercial legal document generation systems and homegrown, law-firm specific document repositories and document macros (written in WordPerfect or Microsoft Visual Basic for Microsoft Word documents) are the forerunners of what may become legal authoring tools. The problem with these tools and systems is that there is no way to "save in" XML. And, even if there were a way to save in XML, there is no standard XML to save in, so there is no way to give, for instance, an XML contract written in one law firm to another law firm for review and negotiation.

Widely accepted document standards help solve the "authoring tool" problem because one (or several related) document standard(s) (*e.g.*, contract,

transcript, statute) make it economically attractive, because the market is large, to develop authoring tools that comply with the standard. Not only would it make sense for Microsoft and WordPerfect to comply with a standard (or develop their own de facto standard, if this were possible), but anyone else who wanted to develop a legal authoring tool would be motivated to do so, knowing that the output of the program could be read and understood by anyone.

An ancillary and potentially beneficial effect of standards is that legal professionals could choose from a variety of authoring tools, rather than just one or two, as is the case today. This can only happen, of course, if software developers do not have to worry that their users will not be able to exchange legal documents. This means there must be standards.

Hence the development of the Legal XML organization (*see* Todd Vincent's article in the November/December issue of *E-Filing Report*). Legal XML seeks to bring legal and technical minds together in one forum to create a compatible set of open, non-proprietary, document formats and related standards. ●

## Notes

1. Winchel "Todd" Vincent III, "Issues in Developing Electronic Court Filing Systems," <<http://gsulaw.gsu.edu/gsucfp/CourtFilings/WhitePaper/Issues.htm#InformationAgeAssemblyLine>>. This document is password protected. E-mail <[winchel@mindspring.com](mailto:winchel@mindspring.com)> to gain access.
2. *Id.*
3. *Id.*
4. *Id.*
5. *See generally* World Wide Web Consortium's Web site, <<http://www.w3.org/>>. *See also* "The Cover Pages," <<http://www.oasis-open.org/cover/>>.

# E-Voting Gets New Scrutiny

by Tom O'Connor\*

The historical voting dispute in the most recent presidential election has brought an increased amount of attention to the possibility of using technology to allow more precise tabulation of voting results and even to implement the actual exercise of the franchise itself. In fact, e-voting has been going on in several jurisdictions for the better part of the year and was even tested in two states during this year's national election.

### Early Projects

In March, Arizona Democrats used the Internet for the first time to cast ballots in a legally binding election in that state's presidential primary race. Election.com of Garden City, New Jersey, conducted the polling. Election.com counted nearly 78,000 ballots, doubling the previous record for a primary. Just over half of the participants voted electronically, and there was an increased turnout of 600% among African-American voters, 800% among Latinos and more than 500% among Native Americans. Election.com was criticized for some interoperability problems and for sending PINs to voters (critics were concerned that PINs could be intercepted and used to cast fraudulent ballots), but overall the program was considered a major success.

In August, delegates at the Democratic National Convention in Los Angeles cast their votes from the convention floor using the Election.com system. Once again PINs were used, this time by delegates to cast nomination ballots at computer terminals on the convention floor. The results were tabulated and presented electronically to convention managers with simultaneous postings on convention center monitors and a Web site. "Until this year, we had never been able to monitor the delegations or reference vote results in real time," said Democratic National Committee Secretary Kathy Vick. "Election.com put that information at our fingertips, exceeding our expectations and changing the face of convention balloting as we know it."

In September, more than 34,000 members of the Internet Corporation for Assigned Names and Numbers (ICANN) used the Election.com system

for its election of board members. According to Mark Prieto, CIO at Election.com, online voting was uniquely suited to handle the complexity of the ICANN election, which selected board members from five global regions. "In a global election with paper ballots, it could have taken more than two weeks just to tally the results according to the preferential voting system, not to mention additional weeks to mail out ballots to registered voters around the world," said Prieto.

### State and Privates Projects

Less well publicized has been an Internet voting task force undertaken by the California Secretary of State. An initial report issued by the Secretary in January questioned the feasibility of online voting but still began a four stage pilot project. (See California Secretary of State Bill Jones, "Feasibility of Internet Voting." California Internet Voting Task Force. January 2000, at <http://www.ss.ca.gov/executive/ivote/>.)

---

**Election officials ... are saying that online voting could improve voter access and provide faster election results at a lower cost.**

---

The first phase took place between October and Election Day, with mock online presidential polls conducted in San Diego from October 23 to 27 and in Sacramento from October 30 through November 7. In Arizona, the online test took place in Maricopa County. VoteHere Inc. of Bellevue, Washington, conducted all three test projects, and the results can be found at [www.votehere.net](http://www.votehere.net). Safevote.com ran a similar project in Contra Costa County, California.

**\* Tom O'Connor is the Editor-in-Chief of E-filing Report.**

Election officials in both states are saying that online voting could improve voter access and provide faster election results at a lower cost. "Using the Internet for voting is just one way government will provide accurate and timely results to the public," said Arizona Secretary of State Betsey Bayless. "It is inevitable that it will become the way of the future. Now is the perfect time to test the viability of Internet voting."

VoteHere Inc. has run online voting trials in 10 states (a report by the local county auditor in one of those pilot projects can be found at <http://www.co.thurston.wa.us/auditor1/#foreword>), but the Arizona and California trials were unique because those states formed technical review committees to evaluate the technology and user feedback. In addition to its public election systems, VoteHere has also developed several private voting systems, including one used by striking Boeing workers in 1999 and several on college campuses. The company's goal is to be certified to conduct online voting in grocery stores and shopping centers in 40 states next year.

There are two forms of Internet voting: poll-site and remote. Companies developing online voting systems generally support gradual adoption of Internet voting for public-sector elections, starting at conventional polling places and evolving over time to voting from homes and offices. The widespread adoption of online voting will ultimately depend on state certification and voter demand. But successful online election systems must address the sometimes conflicting requirements of privacy, security and verifiability.

---

### **There are two forms of Internet voting: poll-site and remote.**

---

Election.com is also targeting these types of private-sector voting groups. They have helped the Sierra Club migrate group voting from an all-paper to a paper-and-Internet voting system. Other representative clients include the Pennsylvania State Employees Credit Union, the Institute of Electrical and Electronics Engineers, the American Association for the Advancement of Science, and even the Florida Bar Association.

## **Public Reluctance**

But if voting on the Internet seems to be an idea whose time has come, the concept may still be a bit premature for many voters. A survey released by the Gartner Group in early December found that, while voters like the idea of voting electronically, many are still not convinced voting online is the best way to go. According to the survey, 50 percent said they would be willing to use a touch screen system at their normal balloting place (12% said they would not), but only 33 percent of those surveyed said they would use either the Internet or e-mail to cast their vote, with an equal number saying they would not.

While Safevote.com claims that over 60 percent of the Contra Costa County participants said they would vote over the Internet, other companies are not so sure. Election.com officials say that more testing is needed to determine what technology will be most readily accepted. VoteHere.net is already switching from a mouse-based to a touch screen online voting system, based on its own survey results which, like the Gartner study, found that many voters, particularly the elderly, prefer an ATM-like interface.

## **Security Concerns**

Security is also a concern. The Arizona experiment used a two-tier security system, consisting of a pin number provided by the political party and personal information, such as birth date or the final four digits of a Social Security number. But in the ICANN election many members encountered an error message when they attempted to vote. Even though ICANN had issued encrypted PINs to members via mail and then provided a complete (encrypted) list to Election.com, the voting system could not obtain a valid response from the encryption system and would not accept the votes. Of the 2,800 people who received an error on their first attempt, 2,685 returned to the site and were able to successfully cast votes on the second attempt.

VoteHere addresses security and privacy concerns with powerful encryption and advanced security protocols. To ensure secrecy, every ballot is encrypted with a public key and signed with a digital signature. The entire vote count is encrypted, eliminating the need to handle decryption keys for individual votes. Election.com CEO Joe Mohen predicts that within three years the most common verification system for online voting will be the dig-

ital signature technology already in use in commercial applications.

Perhaps the best closing comment is also from Mohen. He says, "As the average person realizes that security over the Internet can work, a trust is going to be formed. The people are going to make e-voting happen, certainly in the next five years."

Indicative of that momentum is the fact that within 10 days of the resolution of the presidential race, a proposal for a draft electronic ballot requirements standard was introduced to the Legal XML group for its consideration. E-voting may become reality even faster than Mr. Mohen thinks. ●

## E-Filing Resources

by **James I. Keane\***

The number and scope of e-filing projects around the country are constantly changing. It is the Editor's goal that this publication to provide the most current resource for information on this subject. (See *E-Filing Projects Around the Nation* in this issue.) Readers may want to explore some of the following resources to augment the information provided here. If you know of others, please submit them to the Editor at [toconnor@cybersleuther.com](mailto:toconnor@cybersleuther.com).

### Courts—Selective State E-File or Docket Access Sites

See, National Center for State Courts for a full list of State Court Web sites. These sites focus on e-filing and docket access.

#### Arizona

Arizona Court of Appeals  
<http://apltwo.ct.state.az.us/ef/e-filing.cfm>

Pima County Arizona  
<http://lawonline.jp.co.pima.az.us/>

#### Delaware

Chancery dockets: [www.casestream.com](http://www.casestream.com)  
Superior Court & Chancery with documents  
[www.VirtualDocket.com](http://www.VirtualDocket.com)

#### Colorado

<http://www.courts.state.co.us/iis/iisproj.htm>  
(Download PDF files)

#### Georgia

Georgia Court Automation Commission  
<http://www2.state.ga.us/courts/supreme/gcac/whatsnew.htm>

Includes news items, particularly on the interoperability project that involves the LegalXML CourtFiling Standard. You can also download the GCAC 1999 Annual Report,  
<http://www2.state.ga.us/courts/supreme/gcac/whatsnew.htm>

#### Kansas

<http://www.shawneecourt.org/efile/mainefil.htm>

#### Shawnee County District Court's Electronic Filing System: An Overview

<http://www.ncsc.dni.us/NCSC/TIS/TIS99/CTC6/Judges%20-%20Super/CTC6%20-%20Super%20-%20Bullock.htm>

#### Maryland—Prince George's County, Md.

(Site of original JusticeLink Project)

<http://www.govtech.net/1995/gt/jul/dept/justice.htm>  
<http://www.ncsc.dni.us/ncsc/bulletin/v08n03.htm>  
<http://www.mdlaw.net/ahalt/>  
<http://www.mdlaw.net/efile.htm>

**\*Jim Keane is an independent consultant specializing in e-filing and litigation systems. He is the former Chief Legal Officer for CourtLink.**

**New Jersey—Appellate Division E-Filing FAQ**

<http://www.judiciary.state.nj.us/appdiv/e-file/instructions.htm>

**North Carolina—Supreme Court**

<http://www.aoc.state.nc.us/www/public/sc/suggest.htm>

**New Mexico Judicial Education Center's Interactive Training Site**

<http://www.wipl.unm.edu/jec/training/home.html>

<http://www.nmcourt.fed.us/>

(Restricted, must have an account, but see open page on Extensible Mark-Up Language XML and electronic filing.)

**North Carolina—Supreme Court e-Filing**

<http://www.aoc.state.nc.us/www/public/sc/suggest.htm>

**Utah**

<http://courtlink.utcourts.gov/knowcts/supreme.htm>

**Virginia—Fairfax County Pilot E-Filing Program**

<http://www.nelsonwolfe.com/e-file>

**Courts—International**

**Canada—Toronto E-File Project**

<http://www.rusclub.ru/industry/legal/ecourt/ecrtall1.stm>

**—British Columbia Workman's Compensation**

<http://www.worksafebc.com/priority/efile/efile.asp>

**England**

<http://www.wolfenet.com/~dhillis/STATEUK.HTM>

**Australia**

<http://www.wolfenet.com/~dhillis/stateaus.htm> ●

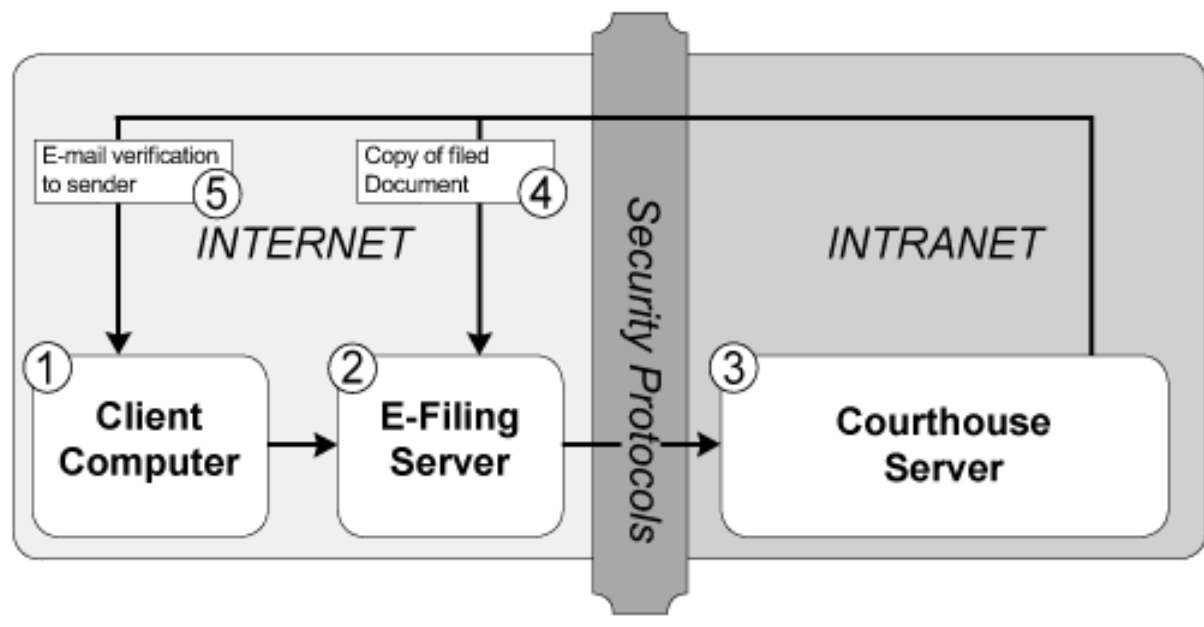
# E-Filing.com

*Your Internet Legal Document Filing Solution!*



- Reduce your printing and delivery costs
- Process legal documents easier and faster
- File you case anywhere and anytime
- Receive a conformed copy the same day
- Rejections are minimized
- Submit cases right over the internet

## The E-Filing Process



30 South La Patera Lane • Santa Barbara, CA 93117

Visit our website at <http://www.e-filing.com>

Tel: (805) 683-3345 - Fax: (805) 683-8525 - Eml: [info@e-filing.com](mailto:info@e-filing.com)

# e-Filing Report

**Glasser LegalWorks**  
150 Clove Road  
Little Falls, NJ 07424

Presorted  
U.S. Postage  
PAID  
Permit #9  
Hackensack, NJ



## e-Filing Report

**Glasser LegalWorks**  
150 Clove Road  
Little Falls, NJ 07424



**Phone:** (800) 308-1700 or (973) 890-0008



**Fax:** (973) 890-0042



**Mail:** Glasser LegalWorks,  
150 Clove Road, Little Falls, NJ 07424



**E-Mail:** [orders@glasserlegalworks.com](mailto:orders@glasserlegalworks.com)

**Web:** [www.glasserlegalworks.com](http://www.glasserlegalworks.com)

**YES!** Rush me *E-Filing Report* and enter my one-year trial subscription (10 issues) at the introductory price of \$195 (a 20% savings from the regular rate). After 30 days, I will honor your invoice or cancel without obligation.

### Method of Payment

Name \_\_\_\_\_

Title \_\_\_\_\_

Company \_\_\_\_\_

Street Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone# \_\_\_\_\_ Fax# \_\_\_\_\_

E-Mail \_\_\_\_\_

Check enclosed

*(to Glasser LegalWorks)*

Bill Me

Charge my:

Visa

MasterCard

AMEX

Account # \_\_\_\_\_

Exp Date: \_\_\_\_\_

Signature: \_\_\_\_\_

*Please make corrections on the mailing label.*

30-Day Money-Back Guarantee on All Publications and Tapes If Not Fully Satisfied. All publications and tape orders are subject to NJ sales tax where applicable plus shipping and handling. Audiocassettes are not returnable. Please show street address. UPS will not deliver to PO Boxes. All bill orders are subject to acceptance by Publisher.

# e-Filing Report

**Glasser LegalWorks**  
150 Clove Road  
Little Falls, NJ 07424

Presorted  
First Class  
PAID  
Permit #9  
Hackensack, NJ



## e-Filing Report

**Glasser LegalWorks**  
150 Clove Road  
Little Falls, NJ 07424

 **Phone:** (800) 308-1700 or (973) 890-0008  
 **Fax:** (973) 890-0042  
 **Mail:** Glasser LegalWorks,  
150 Clove Road, Little Falls, NJ 07424  
 **E-Mail:** [orders@glasserlegalworks.com](mailto:orders@glasserlegalworks.com)  
 **Web:** [www.glasserlegalworks.com](http://www.glasserlegalworks.com)

**YES!** Rush me *E-Filing Report* and enter my one-year trial subscription (10 issues) at the introductory price of \$195 (a 20% savings from the regular rate). After 30 days, I will honor your invoice or cancel without obligation.

### Method of Payment

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Company \_\_\_\_\_  
Street Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_  
Phone# \_\_\_\_\_ Fax# \_\_\_\_\_  
E-Mail \_\_\_\_\_

Check enclosed  
(to Glasser LegalWorks)  
 Bill Me  
 Charge my:  
 Visa  MasterCard  AMEX  
Account # \_\_\_\_\_  
Exp Date: \_\_\_\_\_  
Signature: \_\_\_\_\_

*Please make corrections on the mailing label.*

30-Day Money-Back Guarantee on All Publications and Tapes If Not Fully Satisfied. All publications and tape orders are subject to NJ sales tax where applicable plus shipping and handling. Audiocassettes are not returnable. Please show street address. UPS will not deliver to PO Boxes. All bill orders are subject to acceptance by Publisher.