

# Washington State Judicial Branch 2023-25 Biennial Budget Implement eFiling for SC-CMS

**Agency:** Administrative Office of the Courts

**Decision Package Code/Title:** P2 – Implement eFiling for SC-CMS

**Agency Recommendation Summary Text:**

The Administrative Office of the Courts, in collaboration with superior courts that implemented the Odyssey Document Management system, requests \$1.6 million per year of ongoing General Fund-State funding to provide electronic filing in superior courts that chose to implement the Odyssey document management system as part of the Superior Court Case Management System. This funding will facilitate adoption of this new technology in these courts, leading to more consistent and barrier-free access to safe and efficient remote services for victims and others persons seeking justice in the courts. (General Fund-State)

**Fiscal Summary:**

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
<b>Staffing</b>						
FTEs	0.00	0.00	<b>0.00</b>	0.00	0.00	<b>0.00</b>
<b>Operating Expenditures</b>						
Fund 001-1	\$1,600,000	\$1,600,000	<b>\$3,200,000</b>	\$1,600,000	\$1,600,000	<b>\$3,200,000</b>
<b>Total Expenditures</b>						
	<b>\$1,600,000</b>	<b>\$1,600,000</b>	<b>\$3,200,000</b>	<b>\$1,600,000</b>	<b>\$1,600,000</b>	<b>\$3,200,000</b>

**Package Description:**

Filings for the Superior Courts that implemented the Odyssey document management system (Adams, Asotin, Columbia, Cowlitz, Franklin, Garfield, Grays Harbor, Island, Kitsap, Lewis, Mason, Okanogan, Pacific, San Juan, Skagit, Snohomish, Stevens, Thurston, Wahkiakum, Whatcom and Whitman counties) average in the range of 100,000 per year. These cases include Adult Criminal, Civil, Domestic, Probate/Guardianship, Adoption/Parentage, Mental Illness/Alcohol, Juvenile Dependency and Juvenile Offender.

These superior courts still rely on a largely paper-based process in the Enterprise Justice (Odyssey) document management system. Documents must be hand-delivered during standard court business hours and then manually processed by court personnel. This is inconvenient and expensive for the public and inefficient for the courts.

eFiling can ease these burdens substantially. eFiling requires nothing to be printed, physically stored, or transported to the courthouse. Electronic documents can be prepared and filed remotely from anywhere and at any time, making justice more accessible particularly for victims and working people.

eFiling is a critical component of a modern court system. It provides better service to the public, greater efficiency in our courts, and supports the ability to continue conducting essential court business remotely during emergencies such as a pandemic.

Tyler Technologies, the vendor that maintains Odyssey, offers an eFiling solution with a unique integration that provides a user-friendly web-based service for the public and automated processing functions that improve operational efficiencies for the courts. The service also provides the ability for parties to electronically serve documents, providing additional convenience and reducing the cost of litigation.

The cost to provide eFiling, electronic service, customer support and maintenance of the secure service for the superior courts that implemented the Odyssey document management system is \$1,600,000.

Providing the ability to easily, and without added costs, file documents electronically, which will save on transportation, parking and courier costs for litigants, free up space in courthouses and warehouses, and free up time for court personnel to process cases more efficiently. It will also encourage the widespread adoption of eFiling among superior courts which will provide more consistent access to justice for victims and other litigants while promoting a more effective court system.

**Fully describe and quantify expected impacts on state residents and specific populations served:**

This package will have a direct positive impact on populations that file documents with the superior courts. It will provide a means of filing that would eliminate the need to physically drive to the courts and file paper with the county clerk. This would also have a direct and positive impact on how documents are received by reducing the need for document scanning and paper storage.

**Explain what alternatives were explored by the agency and why they were rejected as solutions:**

One alternative would be to pay for the service by charging system users for the service. Users would pay a fee of approximately \$5 fee each time they file. Exceptions could be granted for persons who are indigent, but this would require the person to complete a waiver request and the court to determine indigency. This process may present a barrier to people seeking to access the justice system and discourage widespread adoption of eFiling by the public or the courts.

**What are the consequences of not funding this request?**

If this request is not funded, the superior courts that use the state-provided Enterprise Justice case management system and the integrated Document Management System will continue to use different applications to provide eFiling to citizens, or not provide eFiling services at all. By not funding this request, the costs of electronic filing will be passed on to nongovernmental entities in cases before the superior courts that use the state-provided Enterprise Justice case management system and the integrated document management system. Individuals that file or are responding to filings will see an increase in fees. Many courts may not adopt e-filing as a rule in order to prevent these fees and will leave the paper-based filing systems in place, requiring Washingtonians to continue to expend their time and resources in order to transport documents to a court.

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**Is this an expansion or alteration of a current program or service?**

The Administrative Office of the Courts was funded in the 2022 Legislative Session to provide this service to the district and municipal courts that will use the state-provided Enterprise Justice case management system and the integrated Document Management System. This would provide the same service to the superior courts using the same system.

**Decision Package expenditure, FTE and revenue assumptions:**

This request would fund a contract with Tyler Technologies to provide the e-Filing software as a service package.

<b>Expenditures by Object</b>	<b><u>FY 2024</u></b>	<b><u>FY 2025</u></b>	<b><u>FY 2026</u></b>	<b><u>FY 2027</u></b>	<b><u>FY 2028</u></b>	<b><u>FY 2029</u></b>
C Personal Service Contract	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000	1,600,000
<b>Total Objects</b>	<b>1,600,000</b>	<b>1,600,000</b>	<b>1,600,000</b>	<b>1,600,000</b>	<b>1,600,000</b>	<b>1,600,000</b>

**How does the package relate to the Judicial Branch principal policy objectives?**

This package directly advances three Judicial Branch policy objectives: Fair and Effective Administration of Justice, Accessibility, and Commitment to Effective Court Management.

**Fair and Effective Administration of Justice**

The fair and effective administration of justice begins with efficient and accessible filing methods that are easy to use for all parties. Electronic filing does just that. Utilizing eFiling, parties do not have to find means of travel to courthouses or print centers. They can file simply and easily from any computer, reducing their carbon footprint and making the administration of justice more effective. This funding will help ensure that eFiling is available to all filers in these courts without financial barriers.

**Accessibility**

Electronic filing is an essential component of accessibility. It levels the playing field for those without means of transportation to courthouses and print centers. It makes justice accessible to all, and the system is accessible on any web-based device. By providing the service to all, the state will remove an unnecessary roadblock to filing for individuals that may not meet the technical definition of indigent, but who otherwise cannot afford the filing fees that accompany typical cases. Additionally, removing this roadblock would encourage the widespread adoption of eFiling in the courts.

**Commitment to Effective Court Management**

Electronic filing is a model of effective court management. It frees up clerks and court staff from having to scan large stacks of paper; it frees up space to store all that paper; it makes notification of all parties in a case easier. By using the integrated eFiling solution adopted by the JISC, courts will benefit from enhanced automated functions that reduce manual work and data entry errors.

**Are there impacts to other governmental entities?**

This request will only impact the superior courts that implemented the Odyssey document management system, which is the governmental agency requesting this work from the Administrative Office of the Courts. These courts support this request.

This request will also positively impact the local prosecuting attorney and local law enforcement.

**Stakeholder response:**

Attorneys and self-represented litigants would be positively impacted by this proposal. We anticipate support for this proposal.

**Are there legal or administrative mandates that require this package to be funded?**

There are no legal or administrative mandates requiring that this package be funded.

**Does current law need to be changed to successfully implement this package?**

No changes to current law are required to successfully implement this package.

**Are there impacts to state facilities?**

This package does not necessitate any impact to state facilities.

**Are there other supporting materials that strengthen the case for this request?**

The [E2SHB 1320 Stakeholder Group Recommendations to Support Access and Safety](#) include references to e-filing in the protection order processes.

The Washington State Women’s Commission has been conducting listening sessions. A common theme is advocates/survivors actively asking for more accessibility. A gap identified with filing electronically: delay in time from granting order to entry by law enforcement. Also, most petitioners don’t get a copy of the petition/order. Huge number of reissuances, service of temporary order only, not petition. Flow of paperwork electronically is an issue right now.

**[E2SHB 1320](#) Sec.14(1)(a) at page 25 provides:**

By January 1, 2023, county clerks on behalf of all superior courts and, by January 1, 2026, all courts of limited jurisdiction, must permit petitions for protection orders and all other filings in connection with the petition to be submitted as preferred by the petitioner either: (i) In person; (ii) remotely through an electronic submission process; or (iii) by mail for persons who are incarcerated or who are otherwise unable to file in person or remotely through an electronic system. The court or clerk must make all electronically filed court documents available for electronic access by judicial officers statewide. Judicial officers may not be charged for access to such documents. The electronic filing system must allow for protection orders to be filed at any time of the day. Petitioners and respondents should not be charged for electronic filing for petitions and documents filed pursuant to this section.

**Are there information technology impacts?**

This package funding will be used to contract for eFiling and related services offered by Tyler Technologies.

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