Online Record Access to Superior Court
For Self-Represented Litigants
Project Group Scoping Document

Project Overview: In July 2016, the SC-CMS Court User Workgroup (CUWG) asked the SC-CMS Project Steering Committee to review a request from the Access to Justice Board (ATJ) to address the needs of self-represented litigants (SRL) who will access court records through Odyssey Portal (Portal). The Steering Committee requested that designees from the ATJ, Administrative Office of the Courts (AOC), and Washington State Association of County Clerks (WSACC) create a proposal for SRL access to the Odyssey Portal for consideration by the Judicial Information System Committee (JISC). This SRL workgroup consisted of John Bell, Kathy Bradley, Vicky Cullinane, Thurston County Clerk Linda Myhre Enlow, Snohomish County Clerk Sonya Kraski, Elaine McLaughlin, and Sart (Brian) Rowe.

The SRL workgroup's goal is to provide recommendations that allow SRLs equal access, wherever possible, to the existing Portal "attorney of record" (AOR) security role. The proposed SRL security role addresses GR 22 requirements and confidentiality and safety risks for parties and participants in all case types, including those with active protection orders. Additionally, the recommendations and associated processes are executable across County Clerk's offices with varied staff and resources that use the Odyssey Document Management System (Odyssey DMS).

In order for JISC to prioritize the development of a SRL Portal security access role the following information is provided:

- Overview of Basic Processes & Roles – SRL Identification, Registration Requirements and Tracking.
- System and Schedule Impacts - Impacts to Odyssey and Odyssey Portal.
- Resources – Short-term and long-term support needed to create and maintain a SRL Portal security access role.

The ATJ, AOC, CUWG, WSACC, and the Project Steering Committee have reviewed the SRL workgroup's recommendations and documentation. Robert Taylor, representing the WSBA, also served as a consultant to this group. Security recommendations were submitted to Team Child and the Family Law Section of the Washington State Bar Association (WSBA) for consideration, but no responses were received from either organization. JISC's Data Dissemination Committee (DDC) provided a courtesy review of materials. The DDC suggested clarifying language revisions which were adopted and noted the access recommendations included creative solutions to provide equal access for SRLs.

The creation of the SRL Portal role is a policy issue that needs to be negotiated by and between the JISC, WSACC and the ATJ, with information regarding staff and financial resource requirements, processes, and procedures provided by the AOC.

The SRL workgroup's recommendations to the JISC are outlined in the following pages. If you have questions about this proposal, please contact Elaine McLaughlin via email at Elaine.McLaughlin@courts.wa.gov

Overview of Basic Processes & Roles

Administrative Roles & Processes: The Proposed SRL Processes Overview – Appendix A, compares the existing Portal registration process with the proposed SRL registration process. Each phase of the registration process is mapped into a separate section and any variances in process are documented side-by-side; these phases include: registration, identification, on-boarding, tracking, adding and removing a Party ID, access removal, and best practices.

SRL Security Access Recommendations: Upon registration, the proposed Self-Represented Litigant (SRL) Portal role provides access to all publicly available case information (court dockets), without access to case documents, similar to the Portal JISLink Level-01 role. Further, County Clerks will grant elevated access, including access to case documents, to all cases where the SRL is a Party of Record by entering the SRL's Odyssey Party Identification Number (Party ID) into Odyssey Case Manager (Odyssey).

The detailed SRL role recommendations can be found at Proposed SRL Security Access – Appendix B.

The SRL Party ID will function the same way a WSBA bar number does for the Attorney of Record (AOR) override.

Portal User	Initial Portal Role	Override	Override Access Granted
Attorney	Attorney	WSBA Bar No.	Attorney of Record
SRL	JISLink Level 01	Party ID	SRL Proposed Access

Case Type Access Variances: A small percentage of case types were deemed inappropriate or not useful for SRLs. These case types are noted on the 'Access Variance' tab of Appendix B.

Proposed Changes to AOR Party Information Access: In order to create equal access and protect personally identifying information, the workgroup proposes limiting AOR access to select Party information (gender, height, ethnicity, state ID, weight, physical descriptors, and vehicle information).

SRL Portal View: The Portal Role Comparison – Appendix C, illustrates how the proposed security rights will populate in Portal. The comparison shows search results for case number and name searches. Appendix C includes the proposed changes to the AOR Security access noted above.

Odyssey case types: 'Civil' versus 'Well Identified'. In some instances, it will be necessary for an SRL to maintain two separate email addresses and Portal logins. Odyssey does not

allow adding a Well Identified Person (WIP) to a civil (Civil) case type. If an SRL requests access to both WIP and Civil cases, they will need to maintain two separate Portal logins tied to two separate email addresses.

SRL Access Need:	Emails Required:
One case (WIP or civil)	1
Multiple WIP **or** civil cases	1
One WIP and one civil case	2
Multiple WIP and civil cases	2

Civil Person (not well identified) is an unknown individual record in the JIS Person database which may include a name or address.

Individual WIP (Well Identified Person) is a known individual record in the JIS Person database, and JIS Person Business Rules require: name, address, and at least one of the following identifiers: date of birth (DOB), Washington Department of Corrections number (DOC#), State Criminal ID number (SID#), Driver's License (DL#), Federal Bureau of Investigation number (FBI#), Juvenile number JUV#, or other court assigned identifier.

Additional information regarding JIS Person Business Rules can be found here.

Odyssey and Portal Impacts – General:

1. **Development required to implement the proposed SRL Portal Access.**

A new Portal SRL security role and Party ID override will need to be created for Odyssey and Odyssey Portal. AOC staff have the ability to create Security roles without intervention from Tyler Technologies (a similar role and override for Guardian Ad Litem has already been created and implemented). The role will need to be created, tested, and piloted before it may be utilized; and

A new selection choice must be implemented on InsideCourts 'Manage Odyssey Portal User Access' page user type "Pro Se" or "SRL".

2. **Identification and tracking of Self-Represented Litigants in the system.**

Odyssey will not specifically track SRLs. The SRL's Party ID will be used as the mechanism to initiate the access override like an attorney's WSBA bar number. However, County Clerks may request that AOC establish 'SRL' as an agency type. Creating a unique agency type will give County Clerk's the ability to search for SRLs using an 'other agency number.'

3. **Role development prioritization.**

To Be Determined- Per JISC.

4. **Information display.**

Please see Appendix C – Portal Role Comparison for reference.

5. **Security necessary to allow, augment, or prevent access to confidential and protected documents.**

Please see Appendix B – Proposed SRL Security Access for reference.

Resources Required for Development –

1. **Project funding.**

Funding is not available. AOC and County Clerk staff will need to use existing resources to develop and implement this role. However, this workgroup recommends pursuing outside grants to assist in funding these SRL access efforts.

2. **Adequacy of staffing.**

It is anticipated that both the AOC and County Clerks have sufficient staff resources to develop and manage this activity. However project prioritization will be needed to begin implementation. It should be noted that waiting until the completion of the SC-CMS Implementation will allow those County Clerks who use the Odyssey DMS to participate in the additional role and process development.

Short Term Resources necessary for SRL role development:

1. Ongoing engagement from AOC and participating County Clerk's staff for additional role development and to articulate business processes into procedures and other guidance;

2. AOC and County Clerk's staff to test and implement the new role; and

3. Ongoing AOC business and technical support.

Long Term Resource necessary for SRL role development:

4. WSACC and/or County Clerk Office(s) to create SRL specific registration and deactivation materials written in plain English which outline SRL specific registration needs, including:

    - Verification of existing access;
    - Email and login requirements;
    - Case number(s);
    - State or federally issued ID numbers;
    - Party ID numbers (if known); and
    - How to remove and restore Portal SRL access.

5. Ongoing AOC Business and Technical Support.

6. Future Sizing Request to Tyler Technologies to investigate if SRL WIP and non-WIP logins can be combined into a single access login to view both Civil and Well Identified Person cases.

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