

## **Integrated Colorado Courts E-Filing System: The Next Generation of Electronic Filing in Colorado Courts**

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The Colorado Judicial Branch has become a national leader in the development of technology to manage the litigation process. In 1999, the Branch solidified this role in partnership with the Colorado Bar Association by launching the nation's first statewide electronic filing program. The Colorado model has since become the largest and most successful in the country. Electronic filing is the mainstay of Colorado Courts, with manifold benefits to law firms, courts, and litigants. Over the next 18 months, the Branch will once again team with the Bar Association, law firms, and collection agencies to implement the state's next generation e-filing program—Integrated Colorado Courts E-Filing System (ICCES).

The birth of electronic filing in Colorado Courts began thirteen years ago when, in 1998, the courts faced a pressing problem. The time and expense of receiving, storing, and retrieving paper documents—coupled with dwindling court staff and the rising costs of managing an antiquated paper process—were hampering court operations. With the exponential growth of technology, the Colorado Judicial Branch sought an automated statewide solution to these problems, despite limited revenue and staff to build an electronic document management system that would allow attorneys to file their documents electronically. To overcome these obstacles, the Judicial Branch issued an RFP for an automated e-filing solution that would significantly reduce the need to manage paper documents, allow court staff to work more efficiently, and give attorneys an efficient method for filing documents 24/7.

After the Branch evaluated the proposals in conjunction with the Colorado Bar Association, the project was awarded to Law Plus in mid-1999. Shortly thereafter, Law Plus merged with JusticeLink and a contract was finalized in July 1999 with JusticeLink. In April of 2000, JusticeLink merged with CourtLink. While the mergers presented some challenges in the development efforts of Colorado's e-filing system, the Branch and CourtLink continued at an aggressive pace, and in July of 2000, the Arapahoe County District Court went live with the new system as the pilot site in four major case classes: Civil, Domestic Relations, Probate and Water. The system was statewide in all Colorado District Courts by February 2001.

Shortly after LexisNexis acquired CourtLink in 2001, the Chief Justice of the Colorado Supreme Court issued CJD 06-02, which identified the rules and procedures for the e-filing pilot in Colorado's County Court money and FED case types. The Boulder County Court went live as the pilot in November 2006. Several months later, e-filing was available in all Colorado County Court FED and money cases. In July of 2008, the Colorado Court of Appeals implemented e-filing. CJD 08-02 was also issued in August of 2008 and identifies the various cost recovery fees for e-filing in all courts.

Today, over 97% of all civil filings in the Colorado District Courts that could be e-filed were e-filed. Colorado boasts one of the most successful and economical statewide e-filing systems in the country. While the Branch experienced some significant growing pains and valuable lessons learned with the implementation of an automated e-filing solution, it has proven successful on many levels.

In early 2008, the Joint Budget Committee asked the Branch to study the feasibility of bringing the e-filing and public access programs in-house. The primary purpose of the request was to determine whether the development of the two systems was attainable with existing and some additional IT staff, along with the advantages and disadvantages of the Branch maintaining the two systems. The Branch delivered its study to the Legislature in the fall of 2008. The study's conclusion was that the Branch had attained the core competencies and highly skilled staff necessary to develop the two systems and also recognized significant advantages of designing, developing, and managing the two systems internally.

These advantages included complete integration with the Branch's case management system, as well as growth in the areas of criminal, juvenile, mental health, and small claims case types. To accomplish a self-funded approach, the Legislature in early 2009 approved the development and migration of the public access system from LexisNexis to the Colorado Judicial Branch. The Branch began work on its new public access system—Colorado State Courts Data Access (“CSCDA”)—in the summer of 2009, and successfully migrated all 12,000 government agency users to CSCDA by July 2010. Since July of 2010, the Branch's system has successfully managed 30,000 government and public searches per day.

In the spring of 2010, the Legislature subsequently approved the Branch to begin work on transitioning the e-filing system from LexisNexis to a system developed internally by the Branch. In the summer of 2010, work began on the new e-filing system—ICCES (Integrated Colorado Courts E-Filing System). On April 11, 2011, the Branch completed initial development of the ICCES Small Claims module and began a pilot in Jefferson County. The program simplifies a filing by walking pro se litigants through a step-by-step process. It is the first program to provide self-represented litigants electronic access to Colorado courts. In July, the pilot expanded to Adams County. Work continues simultaneously to develop limited and general jurisdiction civil, probate, water, and domestic relations case types for both attorneys and collections agencies. The Branch is on schedule to deliver its new e-filing system—ICCES—by January 2013, at which time the Branch's contract with LexisNexis File & Serve will end and all case types currently supported by File & Serve will be transitioned to ICCES.

The ICCES system will allow law firms to attach PDF, word processing, and other file formats through a file builder process. In addition, the goal of the Branch is to improve upon the ICCES system by simplifying the process and adding additional functionality—for example, advanced calendaring tools for law firms that integrate real-time with court calendars. The Branch will also have a full team of support staff spread across the state to help with the training, transition, and maintenance of ICCES.

The long and winding climb in delivering one of the top e-filing programs in the country has strengthened our ability to progress toward the next generation of electronic filing in Colorado by 2013. Of course, the prospect of change rarely comes without forebodings. Thirteen years ago the shift from paper files to an electronic system brought significant change—and much anxiety—to law offices and judge chambers across Colorado. The transition involved doing away with paper files, an inveterate part of the legal culture that has existed for centuries. Yet the collaboration of lawyers, collection agencies, judges, and clerk facilitated the conversion. Today, no one could imagine working without electronic filing and the myriad benefits it brings to the litigation process. While the transition to ICCES will involve some adjustments, the solid foundation laid over the past thirteen years will ensure a smooth transition to ICCES.

The Branch and COBAR look forward to working together once again with firms across Colorado as we venture into a new and exciting e-filing system in 2013. COBAR and the Branch will be meeting with focus groups for each case type module, to ensure the design meets the needs of the Bar and the Branch.