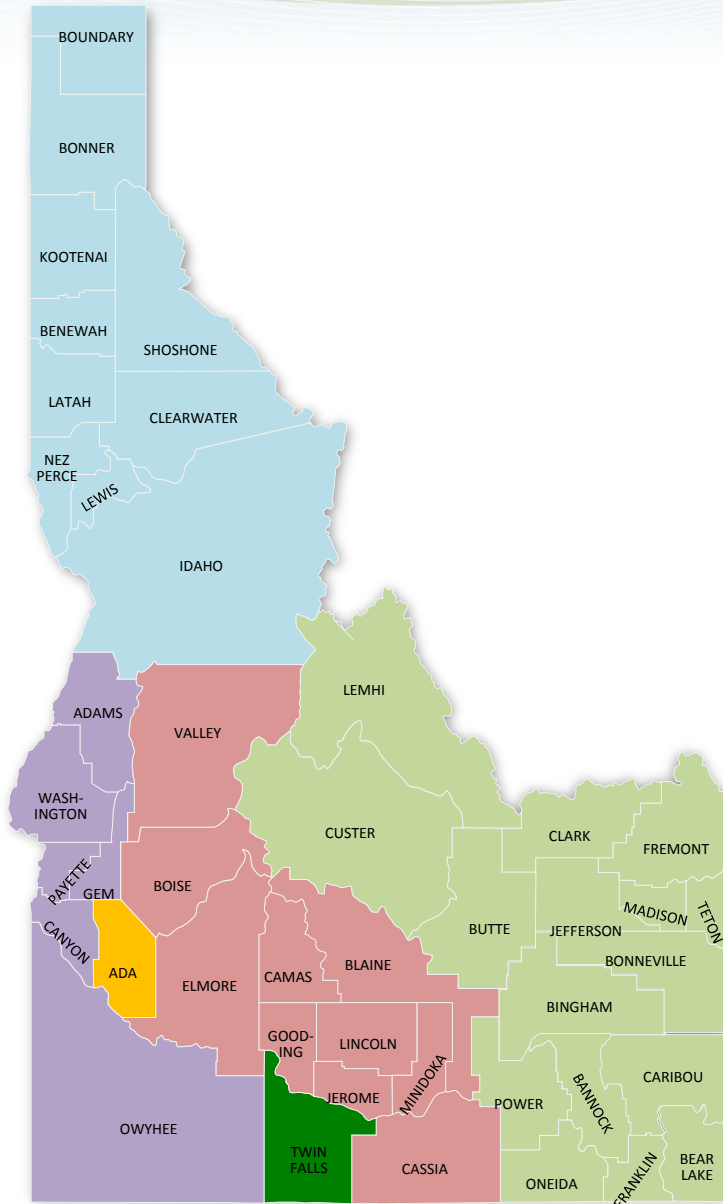




iCourt E-Filing

Michael J. Mehall, Court Operations Manager – Idaho Supreme Court

Proposed Wave Deployment



Pilot and Early Adopter

- Pilot County (Twin Falls)
 - Complete
- Early Adopter (Ada County)
 - Complete

Wave Rollouts

- Wave 1 - October 10, 2017
 - District 3 Counties Canyon & Owyhee
 - District 4 & 5
- Wave 2 - April 2, 2018
 - District 3 Counties Adams, Gem, Payette, & Washington
 - Districts 1 & 2
- Wave 3 - October 9, 2018
 - Districts 6 & 7

E-Filing

- Simultaneous with Case Management go-live. Permissive and Mandatory.

(Subject to Change)



Presentation Outline

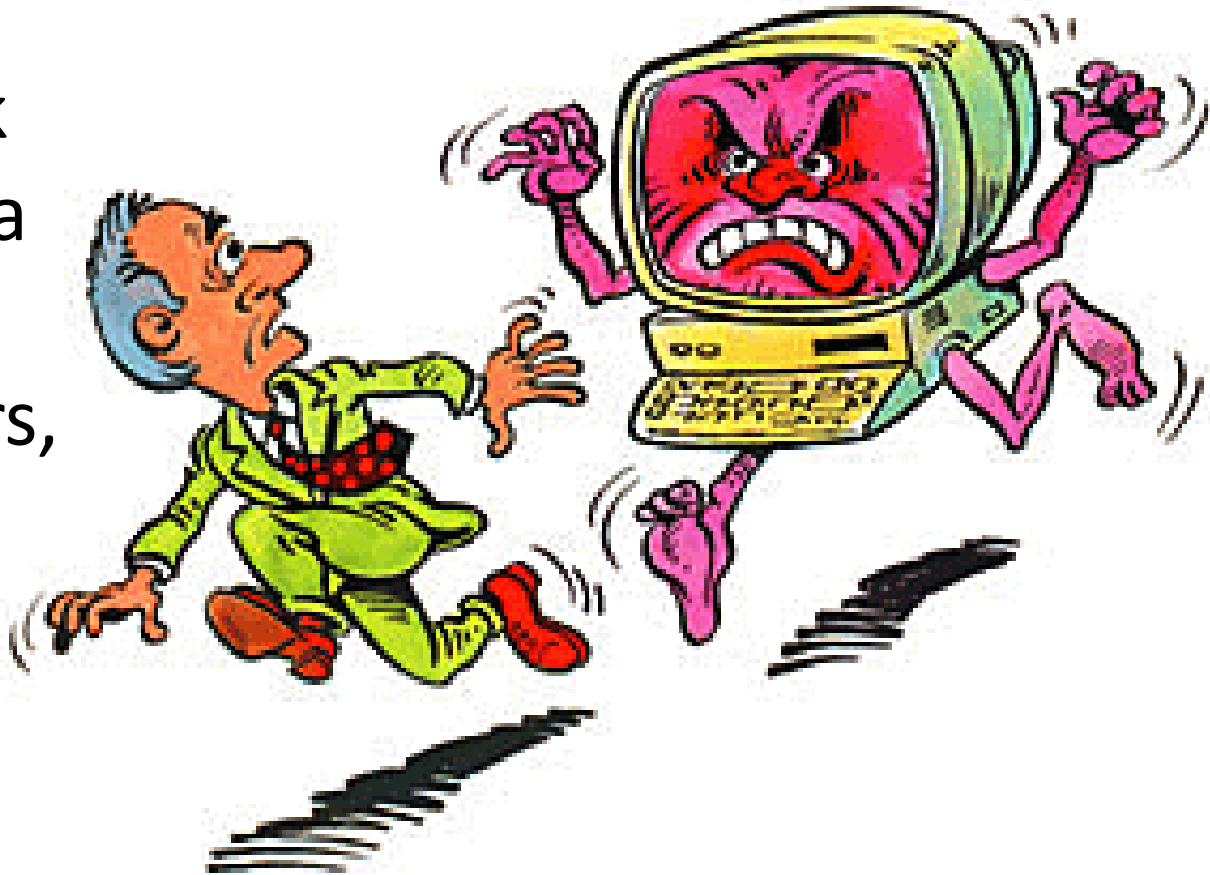
- E-Filing / E-Service Overview
- Electronically Filing Documents
- Idaho Supreme Court E-Filing / E-Service Rule

Mandatory E-Filing

- You must E-File your documents:
 - Attorneys
 - Government agencies or departments
 - Court approved mediators, coordinators, or evaluators
 - Filers compensated for reports / evaluations
 - Business entities filing in small claims actions
- If you CAN E-File the document you MUST E-File the document. (Consult Court Rule)

“This Is My Assistant’s Problem!”

Whether you think you are too big of a deal or scared to death of computers, you are **WRONG!**



You are Responsible for an Office that *E-Fails*.

- Idaho Rules of Professional Conduct, Rule 5.3
 - You “shall make reasonable efforts to ensure that the [assistant]’s conduct is compatible with the professional obligations of the lawyer.”
- Existing case law suggests the courts are unsympathetic when you e-FAIL.

- *Knox v. Patterson*, 21 Pa. D & C.5th 149 (Pa.Com.pl 2011)
 - Attorney practiced law for 50 years.
 - “Not familiar with email.”
 - Left mandatory e-filing to assistant / wife but wife was out of office with injury – **missed notice of scheduled arbitration.**
 - Court found he was “negligent” for failing to learn the e-filing system and just letting the emails “pile up.”
 - Lost right to pursue a \$35,000 fee claim.

- *Kinsley v. Lakeview*, 570 F.3d 586 (2009)
 - Plaintiff's attorney intended to file "Notice of Appeal."
 - Instead filed [early] "Request for Oral Argument."
 - After notice of rejection – filed correction within "correction rule" time line. (*3 business days in Idaho.*)
 - The court rejected Plaintiff's argument and dismissed appeal.

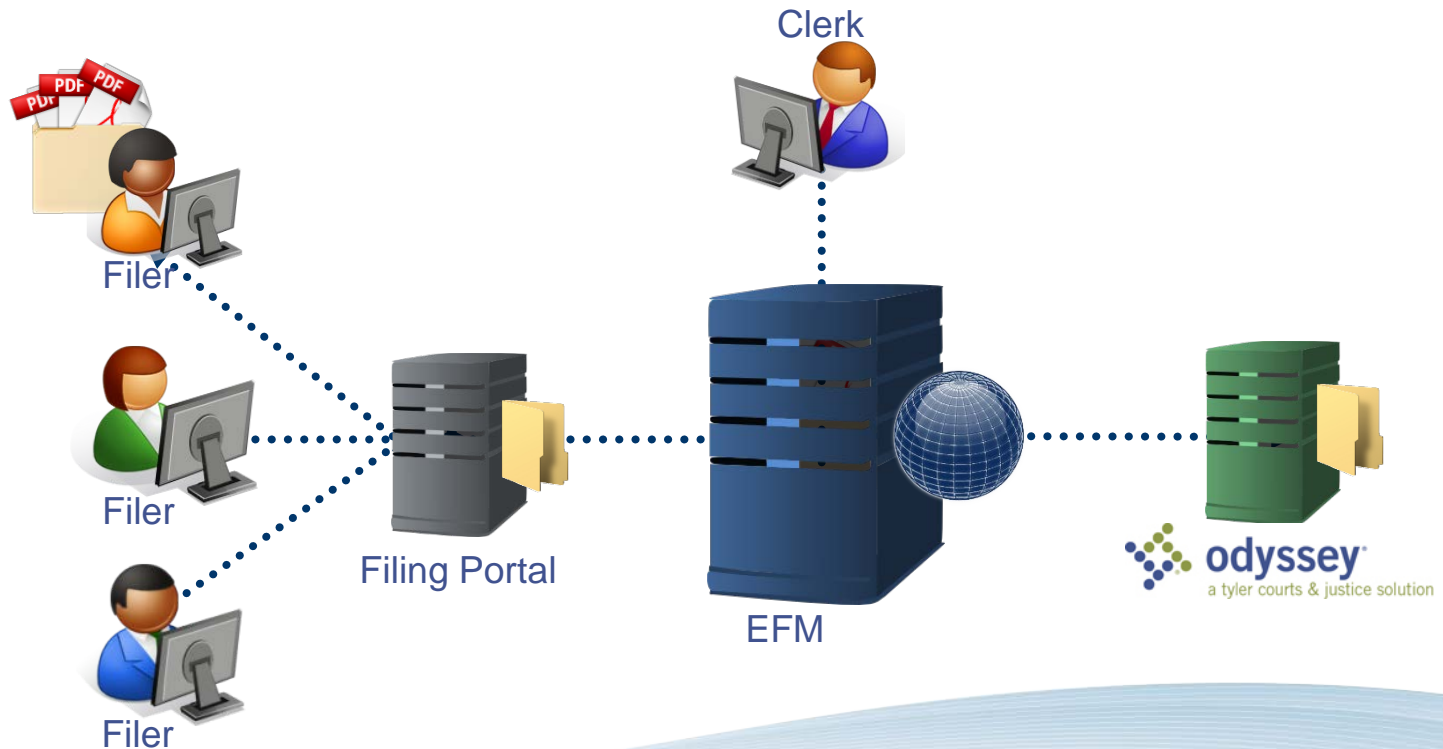
- *American Boat v. Unknown Sunken Barge*, 567 F.3d 348 (8th Cir. 2009)
 - Secretary may have deleted the email in error.
 - The court found a “presumption of receipt” after confirmation that the email made it to the attorney’s “ISP” for attorney’s office.
 - The court dismissed appeal.
- *Pace v. United*, No. 05-cv-01562-LTBMJW, D. Co., (2007 U.S. Dist. 2007)
 - IT adjusted spam filter – result court emails blocked.
 - Law firm should have “white listed” court email
 - Law firm should have checked spam folder.
 - **Attorneys responsible for failure to “adopt internal office procedures.”**
 - Ordered to pay defendant’s attorney fees for failure to appear for settlement conference.



Fees for File and Serve

- No additional fees for File and Serve
- Filing Fees paid through File and Serve
- Currently Credit Card; Debit Card with same purchasing power (with 3% fee)

How e-Filing Works



But What About Service???

BETWEEN PARTIES



Filer



Service Contacts
designated
determines
where they go /
Each party picks
their own.



Other parties



Your own office

COURT TO PARTIES



Filer

Court Clerk



The clerk will
look at your
Certif. of Service
or pleadings



The parties



Build Service Contact

Firm Service Contacts ?

Search by first or last name + Add Service Contact

Name	Email	
Jennifer Jones	jjones@smithlaw.com	Actions ▾
Michael Mehall	mmehall@idcourts.net	Actions ▾
Bob Rogers	brogers@smithlaw.com	Actions ▾
Susan Smith	ssmith@smithlaw.com	Actions ▾

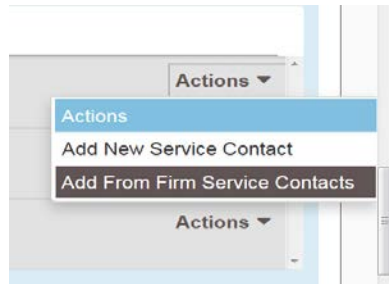
Items per page: 10 ▾ 4 total items

First Name	Middle Name	Last Name
<input type="text" value="Michael"/>	<input type="text"/>	<input type="text" value="Mehall"/>

Firm Name	Email	Administrative Copy ?
<input type="text" value="Mehall & Associates, LLC"/>	<input type="text" value="mmehall@idcourts.net"/>	<input type="text" value="cervin@idcourts.net"/>

Designate Service Contact

Serve	Name	Email	
▼	Party: Sue Smith - Plaintiff		Actions ▼
<input type="checkbox"/>	Michael Mehall	mmehall@idcourts.net	Actions ▼
▶	Party: Bob Brown - Defendant		Actions ▼
▶	Other Service Contacts		Actions ▼



Add From Firm Service Contacts		
	Name	Email
<input checked="" type="checkbox"/>	Michael Mehall	mmehall@idcourts.net
<input type="checkbox"/>	Matt Mehall	mmehall@mail.com
<input type="checkbox"/>	Susan Smith	ssmith@assistant.com

Close

Be Careful

Service Contacts

Service contacts will receive service on the filings in this envelope.

Serve	Name	Email	
▼	Party: State of Idaho - State		Actions ▼
<input checked="" type="checkbox"/>	Felony - Grant P. Loeb	inbox.pros@tfco.org	
▼	Party: Alex James Chappell - Defendant		Actions ▼
<input checked="" type="checkbox"/>	Timothy J. Williams	williamslawefile@gmail.com	
▼	Other Service Contacts		Actions ▼
<input type="checkbox"/>	Chrissy Hernandez	clh@magicvalleylaw.com	

Do you really want to do this????

▼ Party: Chris M Comstock - Defendant

Kevin A. Griffiths kag@dukescanlan.com

Kay Lynn Moorhouse klm@dukescanlan.com

Kevin J. Scanlan kjs@dukescanlan.com

▼ Party: H Robert Howard - Defendant

Kevin A. Griffiths kag@dukescanlan.com

Kay Lynn Moorhouse klm@dukescanlan.com

Kevin J. Scanlan kjs@dukescanlan.com

▼ Party: Terry R Howard - Defendant

Kevin A. Griffiths kag@dukescanlan.com

Kay Lynn Moorhouse klm@dukescanlan.com

Kevin J. Scanlan kjs@dukescanlan.com

Or this????

This firm is getting quadruple sets of every document for no reason.

▼ Party: Janet Roe - Defendant

Aubrey Lyon	service@careyperkins.com
-------------	--------------------------

Richard Stubbs	service@careyperkins.com
----------------	--------------------------

▼ Party: Janet CPA Roe - Defendant

Aubrey Lyon	service@careyperkins.com
-------------	--------------------------

Richard Stubbs	service@careyperkins.com
----------------	--------------------------

Sign-In / Registration



Court Information

Welcome to the Idaho eFiling System

Mandatory e-Filing began in Twin Falls County on January 11, 2016

For more information about electronic filing, including the court rule, news and updates, and e-Filing resources, [visit our project site](#).

If you are a clerk of the court and need to be redirected to the reviewer site, [click here](#).

IDAHO INFO

Actions



Sign In



Register

Self Help

[Need Help?](#)

[FAQ's](#)

[Web Training Sessions](#)

[Training Videos](#)

TEXAS INFO

E-Filing “Dashboard”



Actions ▾

Filer Dashboard

My Filing Activity

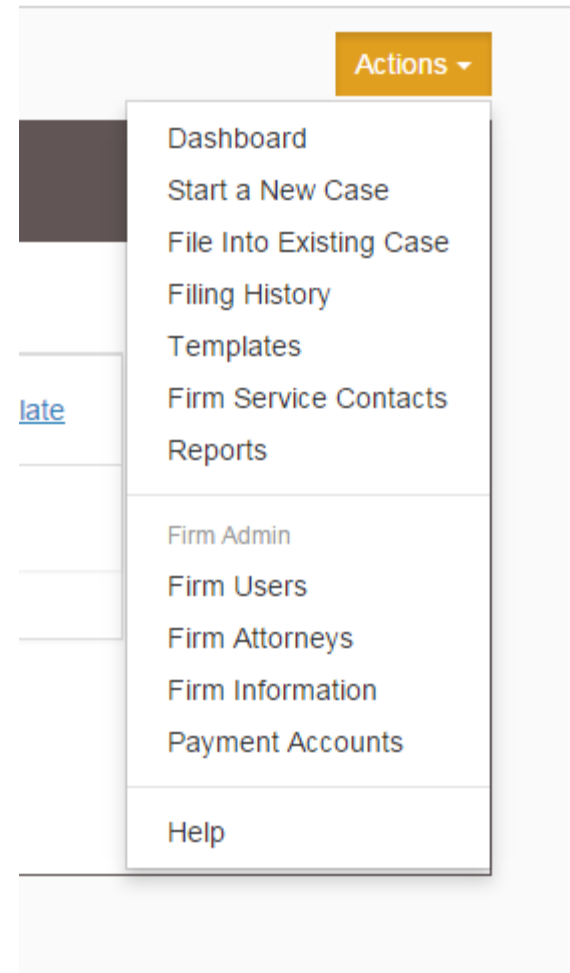
Pending	
Accepted	
Returned	
Drafts	1
Served	
View All	

New Filing

Start a New Case	Use a Template
File into Existing Case	
Need help getting started?	

Firm Admin

- Firm Users: Create new users
- Attorneys: Manage attorneys
- **Manage Service Contacts**
- Payment Accounts: Add and delete
- Firm Information: Update organization's information



Initiating a Case: Case Information

The screenshot displays a web interface for adding a filing. The main heading is "Add Filing". Below it is a "Case Information" section with a dark header and a light blue body. The section contains four dropdown menus: "Location" (Twin Falls County District Court), "Category" (Civil), "Case Type" (AA - All Initial District Court Filings), and "Filing Attorney" (Michael Mehall). A blue arrow with a red outline points to the "Case Type" dropdown. At the bottom right of the form are "Undo" and "Save Changes" buttons.

Field	Value
Location	Twin Falls County District Court
Category	Civil
Case Type	AA - All Initial District Court Filings
Filing Attorney	Michael Mehall

Rules of Civil Procedure – Appendix A

Idaho Rule 10(a)(1) – App. A Filing Fee Category Required on Pleading



Odyssey Case Categories

- Criminal (Incl. Juvenile)
- Civil
- Family
- Guardianship / Conservatorship
- Probate / Mental Health

Party Information

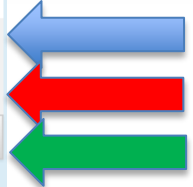
Party Type	Party Name	Attorney
Plaintiff		Required Party
Defendant		Required Party
+ Add Another Party		

Enter details for this Party

Enter all required fields for this party.

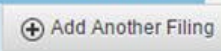
Party Type Plaintiff	Party is a Business/Agency <input type="checkbox"/>	Attorney Michael Mehall	
First Name Skip	Middle Name 	Last Name Jiffy	Suffix
Country United States of America			
Address Line 1 123 Main St		Address Line 2 	
City Twin Falls	State Idaho		
Zip Code 83301	Phone Number 2081239874	Filer ID 	

[Undo](#) [Save Changes](#)



Describe and Attach Filing

Filings

Filing Code	Reference Number	Filing Description	Actions
Complaint	258951	Complaint for Damages	

Enter the details for this filing

Filing Type
EFile

Filing Code
Complaint

Filing Description
Complaint for Damages

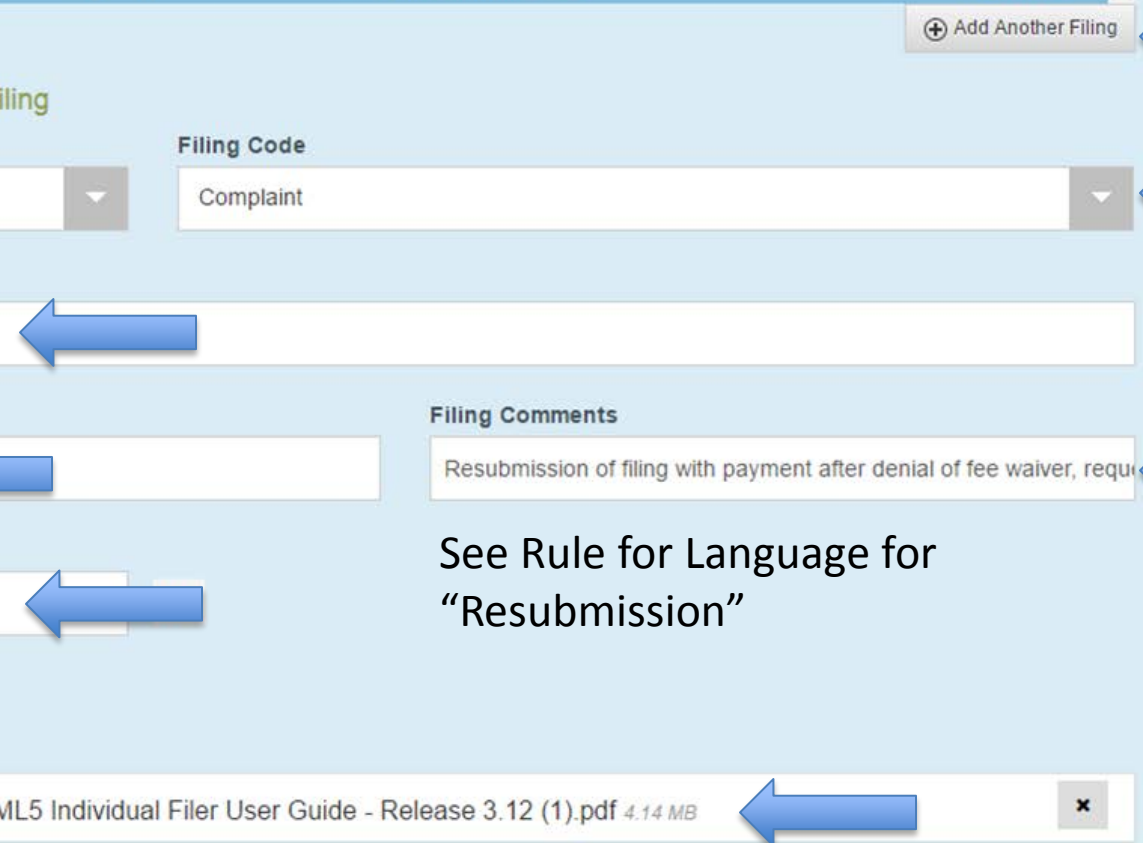
Reference Number
258951

Filing Comments
Resubmission of filing with payment after denial of fee waiver, requ

Courtesy Copies
client@firstsourceinc.com

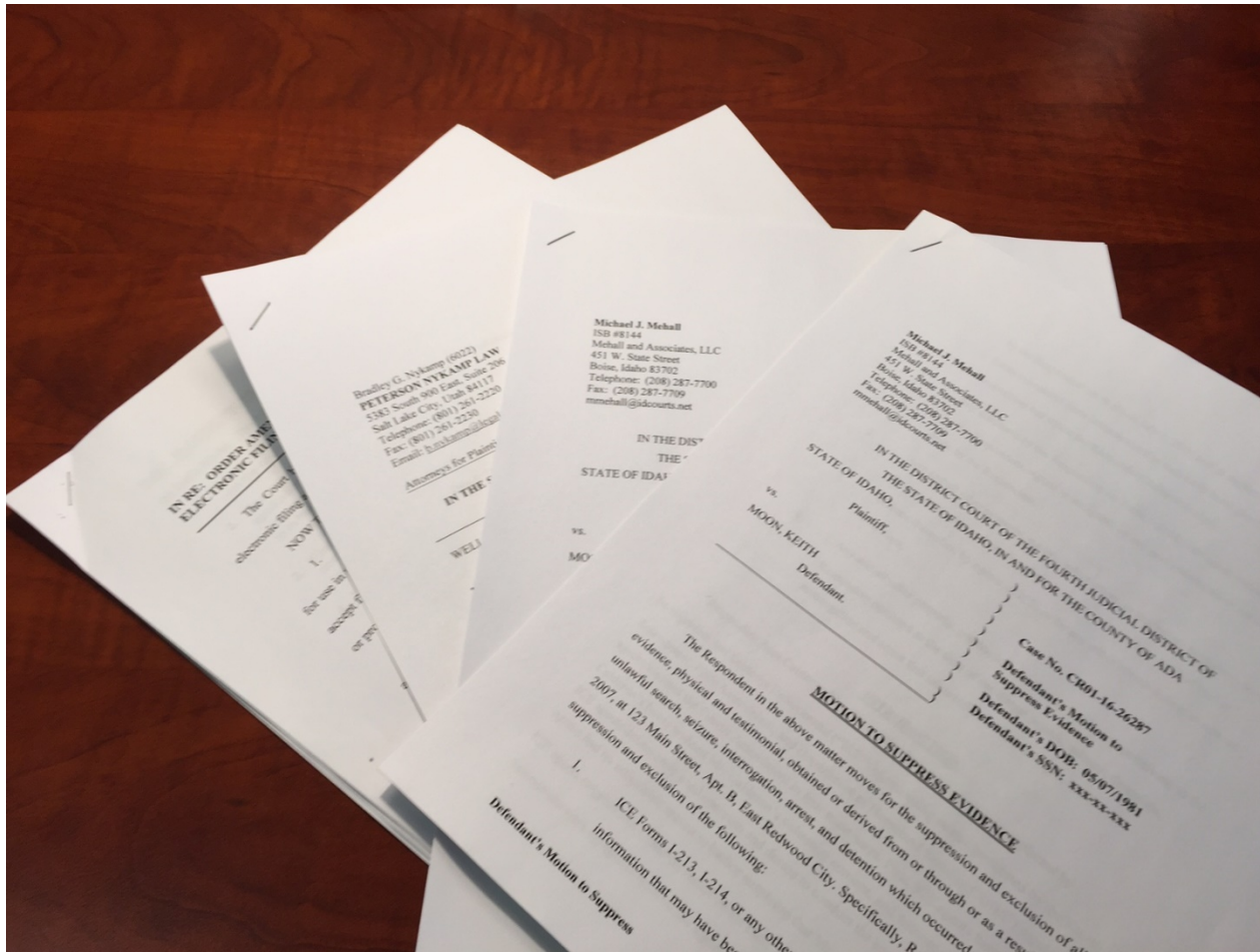
Lead Document (Required)
Odyssey File & Serve HTML5 Individual Filer User Guide - Release 3.12 (1).pdf 4.14 MB

Undo Save Changes



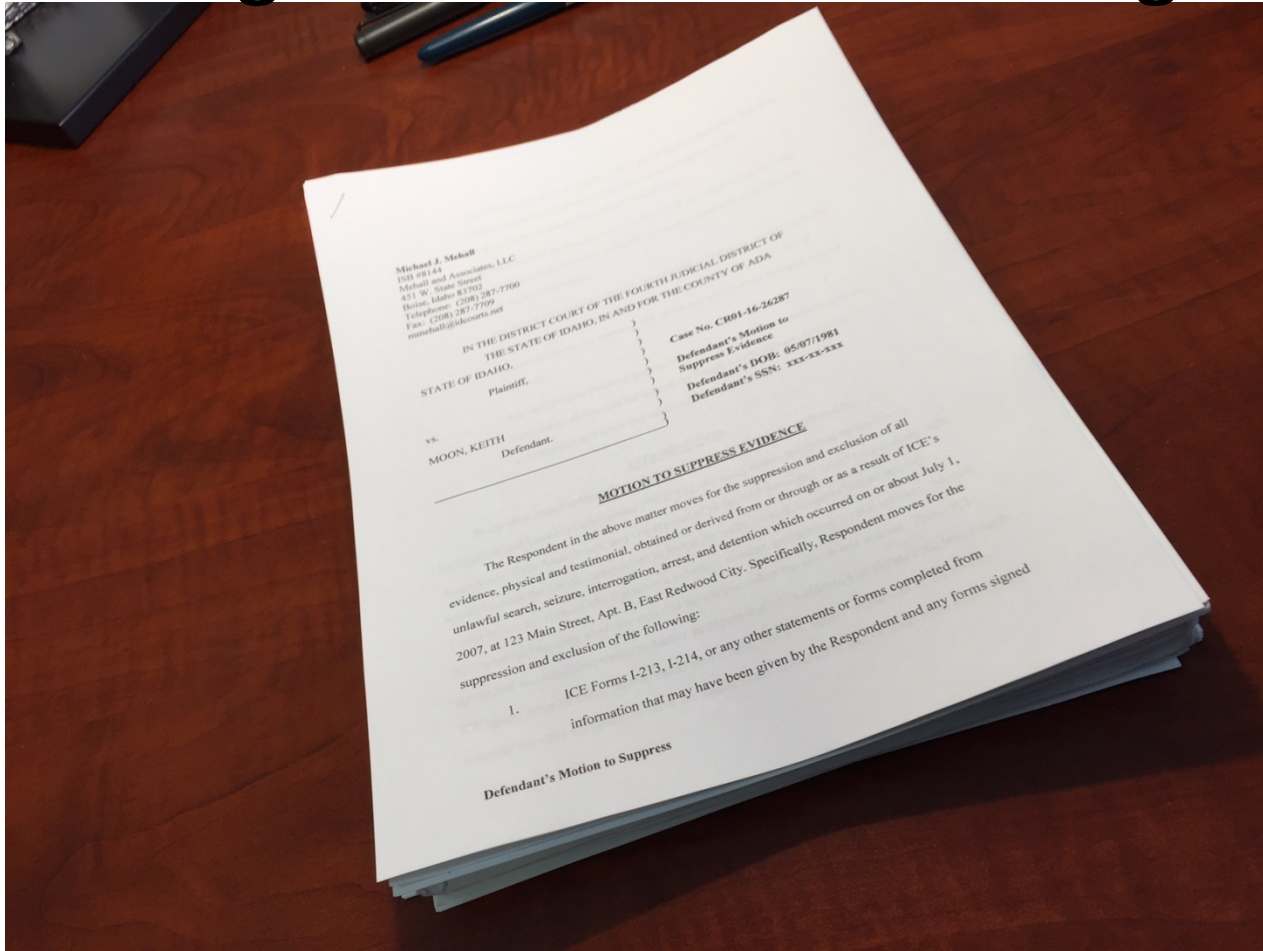
See Rule for Language for
"Resubmission"

Separate Staples / Stamps



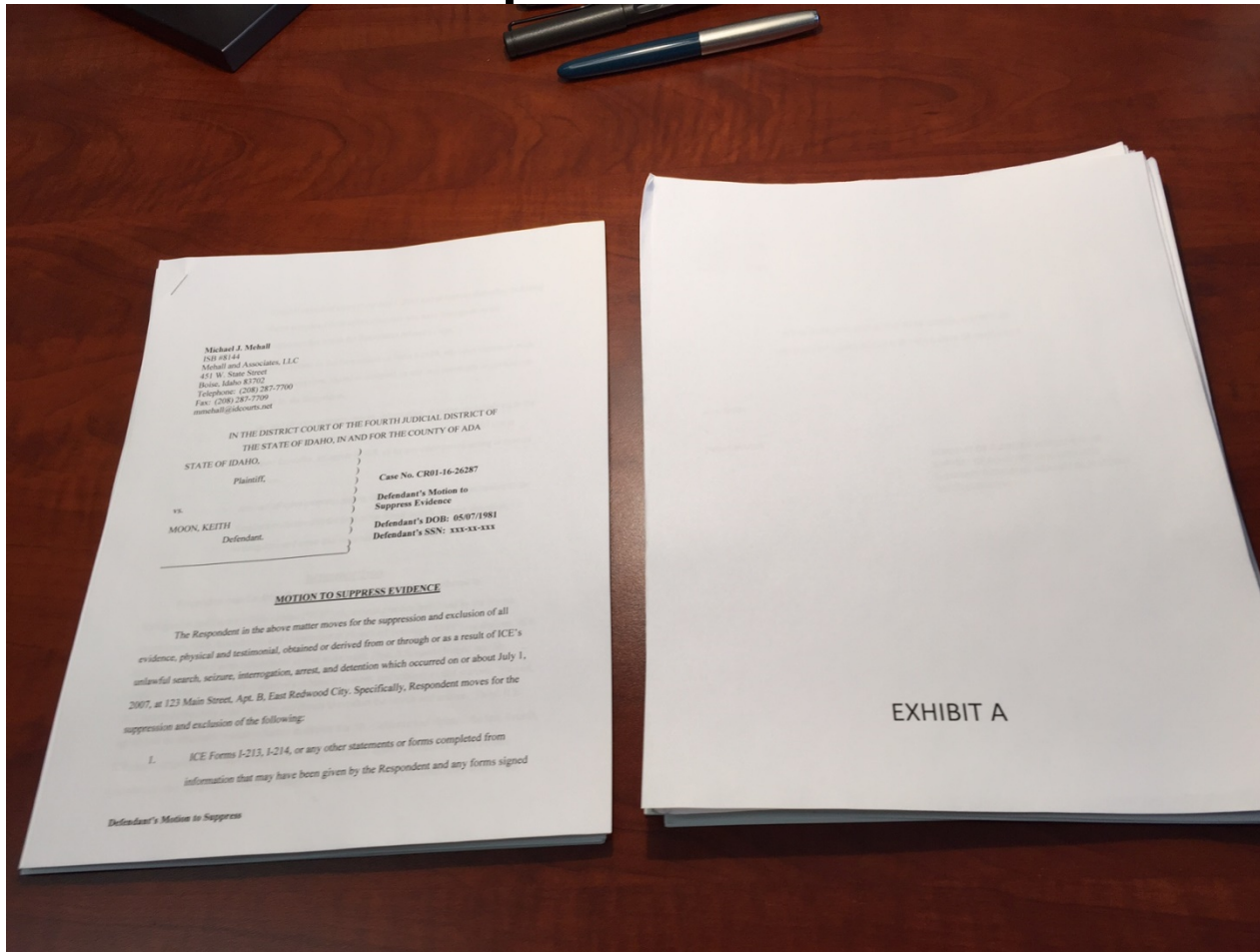
REJECTION!

4 pleadings submitted as one large .pdf



REJECTION!

Should be 1 .pdf but is instead 2?





Large Filings

- 25 MB document
- 35 MB envelope
- Break into smaller documents
- Split-up at logical points
- Use the same filing code
- Number in the comment field (i.e. 1 of 3)

Optional Services Continued

Optional Services

Optional Service	Enter a Quantity
Mailing Fee (1-4) pages - \$1.25 each	2

Appearance After Judgment, No
Previous Appearance (15) - \$145.00
Mailing Fee (1-4) pages - \$1.25 each
Mailing Fee (5-9) pages - \$2.50 each
Mailing Fee (10-25) pages - \$6.25 each
Mailing Fee (26-50) pages - \$11.50 each

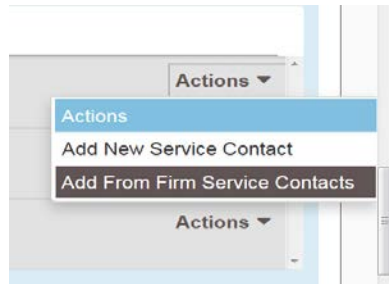
Party: Susan Smith, Plaintiff

Filing Comments

We have selected Mailing Fee (1-4) two times as we anticipate the c

Designate Service Contact

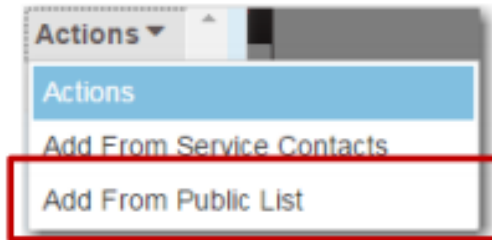
Serve	Name	Email	
▼	Party: Sue Smith - Plaintiff		Actions ▼
<input type="checkbox"/>	Michael Mehall	mmehall@idcourts.net	Actions ▼
▶	Party: Bob Brown - Defendant		Actions ▼
▶	Other Service Contacts		Actions ▼



Add From Firm Service Contacts		
	Name	Email
<input checked="" type="checkbox"/>	Michael Mehall	mmehall@idcourts.net
<input type="checkbox"/>	Matt Mehall	mmehall@mail.com
<input type="checkbox"/>	Susan Smith	ssmith@assistant.com

Close

Public Service Contact



A screenshot of a dialog box titled 'Add Service Contact from Public List'. At the top, there are four input fields labeled 'First Name', 'Last Name', 'Email', and 'Firm Name'. A red rectangular box highlights these four fields and the search icon (magnifying glass) and close icon (X) to their right. Below the input fields is a checkbox labeled 'Show Selected Public Service Contacts'. Underneath is a table with columns 'Name', 'Email', and 'Firm'. The table is currently empty. At the bottom right, there are 'Close' and 'Save' buttons. The text 'total items' is visible at the bottom right of the table area.

A screenshot of the same dialog box, but now showing search results. The 'First Name' field contains the text 'Ada County'. The 'Show Selected Public Service Contacts' checkbox is checked. The table below contains four rows of data, each with a checkbox, a name, an email address, a firm name, and an information icon (i). At the bottom right, it says '4 total items' and has 'Close' and 'Save' buttons.

	Name	Email	Firm	
<input type="checkbox"/>	Ada County Prosecutor	acpocourtdocs@adaweb.net	Ada County Prosecutor's Office	i
<input type="checkbox"/>	Ada County Prosecutor - Juvenile	acpocourtdocs-juv@adaweb.net	Ada County Prosecutor's Office – Juvenile Division	i
<input type="checkbox"/>	Ada County Public Defender	public.defender@adacounty.id.gov	Ada County Public Defender	i
<input type="checkbox"/>	Ada County Public Defender Juvenile	publicdefenderjuvenile@adacounty.id.gov	Ada County Public Defender	i

Payment

Payment Service Fee	\$7.74
Total Filing Fee	\$0.00
Court Case Fee	\$221.00
E-File Fee	\$0.00
E-File Tax	\$0.00
Court E-File Fee	\$0.00
Provider E-File Fee	\$0.00
Provider Tax	\$0.00

Envelope Total: \$228.74

Payment Account

Test Payment Card



Party Responsible for Fees

Skip Jiffy



Undo

Save Changes

Notification by Email



The filing below was reviewed and has been **accepted** by the clerk's office. You may access the file stamped copy of the document filed by clicking on the below link.

Filing Details	
Court	Ada County
Case Number	CV01-17-00006
Case Style	Bob Smith Plaintiff, vs. Jane Doe, Defendant.
Date/Time Submitted	1/10/2017 11:49:08 AM
Date/Time Accepted	1/10/2017 11:52:38 AM
Accepted Comments	
Filing Type	Complaint
Filing Description	Plaintiff Bob Smith's Complaint for Damages
Activity Requested	<u>EFile</u>
Filed By	Michael Mehall
Filing Attorney	Michael Mehall

Document Details	
Lead Document	Progressive v. Gonzalez Complaint.pdf
Lead Document Page Count	3
File Stamped Copy	Download Document
This link is active for 14 days.	



Please Note: If you have not already done so, be sure to add yourself as a service contact on this case in order to receive eService.

For technical assistance, contact your service provider Odyssey File & Serve (800) 297-5377

4 PETITION

Lead Document (Lead)

Edit Verify Parties

Case Information

Location Travis
 Description Family
 Category Divorce
 Type Not Created
 Judge

Envelope # 00000295

Submit Date Mar 05, 2013 5:33:28 PM
 Docket Date Mar 05, 2013 5:33:28 PM
 Filing Attorney Tim Schauer
 Payment Account VISA

Filer Information

New Parties

Petitioner Jamie Lee Gillespie
 5016 North Mockingbird Lane
 Addison, Texas 75093
 Attorney: Tim Schauer
 Respondent Ladden Corey Gillespie
 1908 Lone Grove Dr.
 Frisco, Texas 75035

Fees

Responsible Party	Jamie Lee Gillespie
Convenience Fee	\$16.00
Total Court Case Fees	\$0.00
Total Court Filing Fees	\$217.00
Total Filing & Service Fee	\$5.00
Grand Total	\$238.00

Filing Information

Filing Comments

Div petiton.pdf [Original] [PDF]

Description Div petiton.pdf



3/5/2013 5:33:28 PM

Cause Number: _____
(The Clerk's office will fill in the Cause Number and Court Number when you file this form.)

IN THE MATTER OF THE MARRIAGE OF
 Petitioner: Jamie Lee Gillespie In the 243rd
Print first, middle and last name of the spouse filing for divorce. (Court Number)
 And
 Respondent: Ladden Corey Gillespie District Court County Court of
Print first, middle and last name of other spouse. Demo County, Texas

Original Petition for Divorce

Print your answers.

Parties

My name is: Jamie Lee Gillespie
First Middle Last

I am the **Petitioner**. I am filing this Petition for Divorce.

The last three numbers of my driver's license number are 660. My driver's license was issued in (State) TX.
 or I do not have a driver's license number.

The last three numbers of my social security number are: 736
 or I do not have a social security number.

My spouse's name is: Ladden Corey Gillespie
First Middle Last

My spouse is the **Respondent**.

1. Discovery Level

The discovery level in this case, if needed, is:

- Level 1. Check here if you and your spouse do not have children under 18 or a disabled child of any age, the wife is not pregnant, and you have less than \$50,000 in property.
- Level 2. All other couples check here.

2. Jurisdiction

County of Residence

(Check all boxes that apply.)

- I have lived in this county for the last 90 days.
- My spouse has lived in this county for the last 90 days.

You cannot file this form until you or your spouse have lived in the county where you are asking for a divorce for the last 90 days, and in Texas for the last six months.

John Adams

<<CaseNumber>>

Resubmit After Rejection

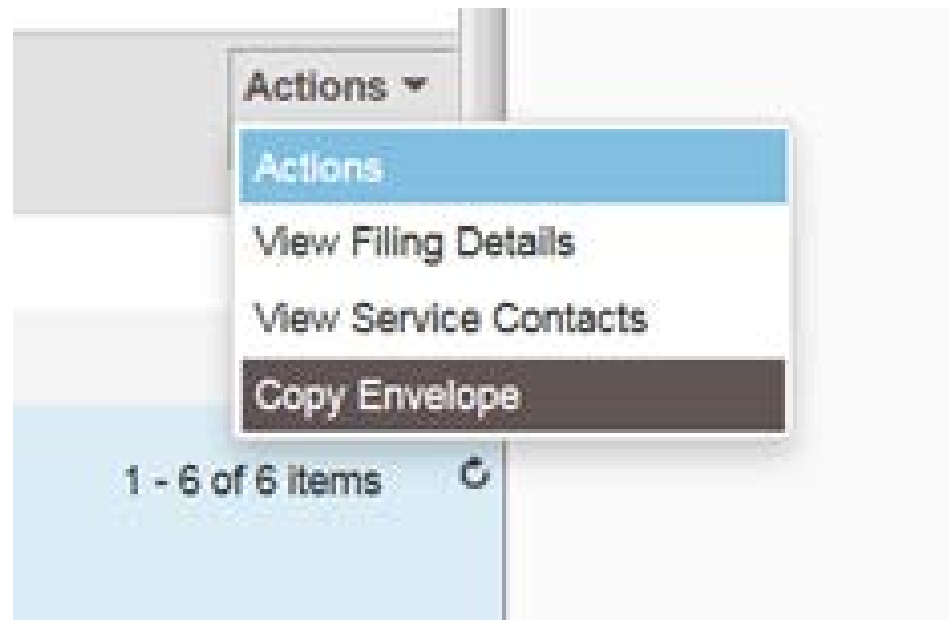
- Do not simply try again, COPY ENVELOPE.

Filer Dashboard

My Filing Activity

Pending	
Accepted	
Returned	1
Drafts	13
Served	

[View All](#)



New E-Filing Court Order

- Governs E-Filing and E-Service
- Current Version Available Online

In the Supreme Court of the State of Idaho

IN RE: ORDER ADOPTING RULE ON _____)
ELECTRONIC FILING AND SERVICE)
_____)

ORDER

The Court having received recommendations from the Court Technology Committee regarding a new rule on electronic filing and service and having reviewed those recommendations:

NOW THEREFORE IT IS ORDERED THAT:

1. The attached rule regarding electronic filing and electronic service is adopted for use in those counties and district courts that have approval from the Supreme Court to accept filings electronically. This rule shall apply, in those designated courts, to all actions or proceedings after the effective date of this order.



E-Filing Court Order


- (b)(2) Provides instruction regarding File Type
 - PDF / PDF-A
 - Text Searchable (Exhibits are an exception)
- (b)(3) Supplemental Attachment Added as Single File
 - Single Unified PDF (Each File Stamp is its own “Lead Document”)



E-Filing Court Order

- Electronic Signature

- /s/ John Q. Smith (*OR*)

-  a) e-sig; or b) scanned and OCR sig

- Must maintain original signatures if it has opposing counsel or other third parties for life of case and appeal.

- Time of Filing

- Day begins at 12:01 am

- One day additional time if service is after 5:00 pm (Similar to 3 days extra for mail)



E-Filing Court Order

Request for Correction

- Request for Correction
 - Insufficient Fees / Funds
 - Incorrect/Incomplete Information
 - Wrong Court / Case Number
 - Initiates a New Case When Case Already Exists
 - Illegible / Unreadable
 - No Signature
 - Incorrect Formatting
 - PDF Documents Combined or Not
- Rules allow for Resubmission
 - Must resubmit with correction in 3 business days to preserve original submission date.



E-Filing Court Order

Rejection / Must Be Filed Conventionally

- Rejection

- Probate (File elec., BUT orig. will & pleading must be filed both elec. and conventional w/in 7 business days.)
- Arrest Warrant
- Demonstrative or oversized exhibits
- Grand Jury Material
- Criminal Charging Documents
- Documents submitted for *in camera* review
- Motion to Seal Document
- Notice of Appeal to the Supreme Court (Filed under Appellate Rule 5)



E-Filing Court Order

- Rule Subsection (e)(6) – Privacy Protection
 - Incorporates language of Administrative Rule 32 AND
 - Idaho Rules of Civil Procedure, Rule ~~3(e)~~ 2.6
 - You have responsibility to redact or follow the rule's procedure when inclusion is necessary
 - Please use caution and inform clients



E-Filing Court Order - Service

- If rules require personal service – you still must do so. (Ex. Service of Complaint)
- You have consented to electronic service by utilizing the system.
- You are responsible for keeping your notification address up to date.
- You must have a Certificate of Mailing
- **Optional Services** – You must pay copy and mailing fees (See FAQ).

Service Fail!!!

To: Michael Mehall
Cc:
Subject: Discovery requests that our office did not receive

Today Alyson discovered a 6 discovery requests that we are unable to find in the e-file system, that were mainly requested on 3/15/16 per Odyssey:

- So what did we find?
 - In 4 of the cases the office WAS serviced.
 - In 2 the filer only filed – they did not serve

A Couple Reminders From The Court

- Only load color when necessary.
- Work on Office Business Process
- Copy your envelope when fixing rejection (See FAQ)
- Avoid calling the clerks, call Tyler or the Supreme Court. (See Next Slide)
- Have you checked the FAQ and the Rule?

A Couple Reminders From The Court

- No more fax filing!
- E-Service includes service between parties.
Example: Civil Discovery
- One envelope a day = MYTH!
 - It is ok to file more than one envelope! Just explain why in the filer comments.
- Civil Discovery and Trial Exhibits

iCourt E-Filing Support

- E-Filing and Technical Support (800) 297-5377
 - Provided by Tyler Technologies



Phone



Email



Chat



Self-Help

- Policy or Rules Questions (208) 947-7482
 - Provided by Idaho Supreme Court



Phone



Email

For More Here!



Court Information

Welcome to the Idaho eFiling System

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For more information about electronic filing, including the court rule, news and updates, and e-Filing resources, [visit our project site](#).

If you are a clerk of the court and need to be redirected to the reviewer site, [click here](#).

IDAHO INFO

Actions



Sign In



Register

Self Help

[Need Help?](#)

[FAQ's](#)

[Web Training Sessions](#)

[Training Videos](#)

TEXAS INFO

e-Filing Training & Resources

The following training options and resources are available for those who wish to e-File with the Idaho Courts (where available).

Upcoming Ada County Training Events:

Michael Mehall, Court Operations Manager with the Idaho Supreme Court, will present on the new electronic filing court rule as well as the tool you will use to e-file. He will discuss the transition, help to avoid rejected filings, and leave you with some business process decisions to ponder before summer comes.

Each training will be held from 12:00-1:30 at the Idaho Supreme Court Lincoln Room (basement). Training does provide CLEs. Pre-registration is not

**Denotes newly added training dates.*

- Thursday, October 6, 2016*
- Friday, October 28, 2016*

Online/Telephone e-File Training & Support for Attorneys:

- Attorneys from across the state can take a **free How-to-e-File LIVE online seminar** through our project partner, Tyler Technologies, with live Q&A sessions, [click here](#) to learn more.
- Tyler Technologies also offers **help for attorneys setting up their e-Filing account**. For assistance call 1-800-297-5377 during normal business hours.

Links to Additional Resources:

- FAQs – Includes:
 - [Basic e-Filing Questions](#)
 - [Understanding Fees](#)
 - [Filer Information](#)
 - [Registration and Support](#)
- [Quick Guide: Initiate a New Case](#)
- [Electronic Filing Court Order & Rule](#)
- [Electronic Filing Guide](#)

Video Tutorials:

- [iCourt Introduction](#)
- [Adding an Attorney to a Firm](#)
- [E-File Access and Registration Tutorial](#)
- [Setting Up Payment Account](#)
- [How to Initiate a New Case Filing](#)
- [Filing into an Existing Case](#)

Q&A

