

Nebraska Judicial News

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Nebraska Courts eFiling and ePayment Milestone Met in 2010

Electronic Payment and Filing in Nebraska Courts – Success Story of a Strategic Initiative

Advancements in technology reached a major milestone in early 2010 with the installation of eFiling in all available Nebraska trial courts. There are now two major electronic services

available in 93 county courts and 92 district courts across the state; eFiling and ePayments. The final court to receive this technology will be Douglas County District Court once their conversion to JUSTICE (trial court case management system) is complete.

The Nebraska Supreme Court Technology Committee has made a commitment to setting attainable and measurable goals when it comes to the expansion of its enterprises. We will outline the progress made here, first in expanded ePayments, and then the electronic filing initiative.

ePayments

Online payment of waivable citations was first made available starting in September 2007, beginning with only a few pilot courts. It was eventually expanded to all 93 county courts in Nebraska, and in 2009 over 26,000 payments were made electronically and totaled in excess of \$3 million.

Building off the success of this service, in 2009 the focus shifted to expanding electronic payments to copies of documents, fines, fees, and judgments in civil, small claims, criminal and traffic cases for both county and district courts. Lancaster county and district courts



Chief Justice Mike Heavican discussed the Court's advancements in technology on January 21, 2010 during his State of the Judiciary address to the legislature.

volunteered to be the first to offer this new service and in July 2009, the expanded ePayments online application was launched. (<https://ne.gov/go/paycourts>)

Availability was officially state-wide by February 2010. To date the expanded ePayments service has collected \$500,000 on behalf of the courts. Paying online is extremely convenient for citizens and businesses, as it offers both a credit card option and an electronic check option (approximately 40% of payments are made using electronic check), is available at all times, and provides an instant receipt. As for the courts, each electronic payment that is made saves an average of four minutes of staff time because the entire process is automated, with users' selections for payment items, as well as amounts, being inserted directly into JUSTICE. The application ensures that everything is applied appropriately and no clerk review is necessary.

Most recently juvenile court payments were added and should be available in all juvenile courts by spring.

eFiling

In August 2007, the Administrative Office of the Courts (AOC) began the work necessary to create a customized electronic filing application for the State of Nebraska. The initial attempt at promoting an eFiling system, which used an off-the-shelf solution provided by Lexis Nexis was online for a year, but was not successfully adopted. However, the Supreme Court eFiling Subcommittee remained dedicated to the idea that electronic filing was something that Nebraska attorneys wanted, and using their feedback, set out to create a system that would work for lawyers and the courts.

Two years later, that effort, and vision, has proven itself to be a great success. Over 150 law firms are signed up to file with the courts electronically, and between them they have over 800 attorneys eligible to file. One reason the eFiling initiative has rapidly drawn in users is there are no additional fees for filing electronically. This can save a law firm money on postage or runner costs, and eFiling works more quickly. Clerks can more easily accept eFiled cases than those filed on paper, and filed document images are available online instantly once accepted. There is no delay while waiting for physical papers to be scanned in by clerks before being available through the JUSTICE case search. With electronic filing any filing fees due are transferred electronically to the court. Nebraska.gov processes the transaction and securely completes the funds transfer from the attorney's bank account to the court's. Nebraska.gov is Payment Card Industry Data Security Standards (PCI DSS) compliant and Cybertrust certified.

In addition to its success within the state, the Nebraska eFiling system is being recognized nationally. The National Association of State Chief Information Officers (NASCIO) recognized Nebraska as a finalist in the Government to

NEBRASKA JUDICIAL BRANCH INTERNET PAYMENT SYSTEM

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Internet Payment System

Welcome to the State of Nebraska Internet Payment System.
From the options below, select the desired transaction.

Available in all County Courts:

- Plead guilty by waiver to a waivable citation and make payment

NOTE: No Court Appearance required. (ex. Speeding ticket, traffic ticket, citation)
Examples of waivable citations. Click the image to view a larger version.

The following options are ONLY available in certain pilot county and district courts at this time: View a [list of participating courts](#) here.

- Make a payment on a current criminal or traffic case
- Make a payment on a civil or small claims case
- Businesses: Make a payment on a garnishment

NOTE: Court Appearance has been made.

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Business category in their 2009 awards. It is a great honor to be selected from over 100 submissions from around the United States.

“NASCIO’s Recognition Award program highlights leadership, innovation and collaboration,” - Greg Wass, Chief Information Officer, State of Illinois and NASCIO Awards Committee Co-Chair

There is no possibility of eFiling resting on its laurels, however, as the popularity of the initiative demands that it continue to grow. The Administrative Office of the Courts coordinated a massive effort to institute the technology and training necessary to provide electronic filing in all jurisdictions state-wide. As of February 2010 all county and district courts are accepting eFiling, with the only exception being Douglas County District Court, which is not currently part of the JUSTICE system. Perhaps the most impressive part of this accomplishment is that the original target date for bringing all trial courts online was the end of 2010. Due to the popularity of the service, and the willingness of the individual courts to sign on, this goal was met well ahead of schedule.

Another area where the service continues to

grow is in the number of case subtypes made available for electronic filing. Currently, in district courts, there are 39 out of 61 civil case subtypes available and in county courts there are 16 out of 21 civil case subtypes to select from.

Attorneys are able to file actions on all 6 criminal case subtypes in district court and 4 criminal case subtypes in county court. Nebraska can lay claim as the first state to offer state-wide filing in the trial courts on criminal cases. In 2009, more than 6,000 new cases were filed electronically in county courts in Nebraska, and over 1,000 new cases in district court. The number of subsequent filings on existing cases performed using eFiling totaled greater than 35,000.

There are NO fees for eFiling. A Nebraska.gov subscription and an Automated Clearing House (ACH) agreement are all that are necessary for active members of the Nebraska State Bar Association to begin using the eFiling service.

A significant policy change was made in January 2010, eliminating the requirement for attorneys/firms to keep hard copies of filed documents. The State Records Management Division amended the rule to more broadly define what is considered a ‘durable medium’ and include in the definition an electronic document. The Supreme Court then incorporated this into Rule **§ 6-401**. This, combined with the acceptable electronic signature format (/s/ Attorney Name) has now paved the way for a truly paperless system for court filings.

Most importantly however, the on-going development of eFiling is focusing on making the

system more efficient for filers and for the courts. The list of application enhancements keeps growing, and includes:

- ◆ **Automated Default Judgment** –Attorneys may submit a motion for default judgment via the electronic filing system, or over the counter. This information is entered into JUSTICE and county court judges participating can make edits to amounts, or use one click to accept. The attorney is notified via email when the judge has issued the order, and the image of the document becomes immediately available in JUSTICE. This has considerably sped up the process and courts that formerly were far behind on their caseloads have caught up. In addition, judges with multi-county jurisdictions can enter judgments easily, and without travel.
- ◆ **Filing History and Accounting Feature** – Allows firms to view detailed information on the filings performed by their attorneys and fees paid. Reports can be sorted by date and saved in their office if desired.
- ◆ **Automated Summons** – When filing Contract Unspecified, Contract Replevin, Real Property-Forcible Entry/Detainer, and Real Property-

Landord/Tenant cases, attorneys can specify whether they would like the summons printed by the court the traditional way, or emailed to the attorney's firm for service. Upon acceptance of the filing at Clerk Review, the summons is created and emailed to the attorney automatically.

- ◆ **Bulk eFiling** – Firms can request to be signed up as 'bulk' filers if they wish to take advantage of an automated system for delivering information required for filing new Contract – Unspecified cases. Some programming is required on the part of the firm to pull raw data from their case management system. This data is packaged into an XML file and sent using FTP to be delivered to the appropriate court(s) clerk review. This eliminates the need for manual entry of case filing information through the interactive filing service.

The future of eFiling is exciting. Work continues as the AOC collaborates with Nebraska.gov's team of programmers to implement new features and refinements. On the agenda for 2010 are: eService, judge review of proposed orders, filing of judge initiated orders, subsequent filings for probate court and juvenile case filing.



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