

Maricopa Lawyer

Clerk's Corner

By Michael K. Jeanes, Clerk of the Superior Court

More Information on Electronic Filing

Three forums are scheduled in January to discuss electronic filing in the Superior Court for Maricopa County. The Clerk's Office presents numerous CLE's on eFiling, demonstrates the eFiling system at the Clerk's Offices in downtown Phoenix on a regular basis, and directly trains firms participating in the early stages of eFiling. Over 1,000 attorneys, support staff, judicial staff and government staff have participated in eFiling demonstrations.

The following frequently asked questions will guide your understanding of the electronic filing pilot in the Superior Court for Maricopa County.

Q: What is eFiling?

A: eFiling is a way to file pleadings with the court. Instead of filing paper at the filing counter, electronic documents are filed over the internet. The process is similar to eFiling in the federal courts and is comparable to purchasing airline tickets or banking online. eFiling uses the same skills as sending an email with an attachment.

Q: Can I eFile in any case?

A: Not yet. The eFiling pilot in Maricopa County is available for complex civil litigation and for general civil cases in designated divisions by court-ordered participation. In adult criminal and family court cases, eFiling is voluntary in participating divisions.

Q: Do I have to eFile?

A: If ordered to eFile in a case, you must eFile. A change of judge on an eFiled case will be assigned to another division that accepts eFilings. Some case types and judicial divisions offer permissive (voluntary) eFiling. In those cases you can choose to file electronically or traditionally.

Q: What if I don't have the technology to eFile?

A: The court has received requests to exempt individual attorneys from eFiling due to lack of computers, scanners, or other technology and the court has not yet granted an exception.

Q: Do I have to register to eFile?

A: Yes, the user name and password you create is required by Administrative Order.

Q: Why the push for eFiling?

A: Paper is expensive to purchase, store and maintain. The Clerk's Office files-in about 40,000 pieces of paper every business day, translating to millions of pages each year that must be stored. Electronic records are easier to file and store and are more secure from tampering, fire/flood or loss. With continued growth in the Valley and the rapid expansion of technology in all sectors of society, continuing paper processes will

seriously jeopardize the court's ability to manage its caseload over time. Rather than forcing a mandatory eFiling system immediately, the Arizona Supreme Court and the Superior Court in Maricopa County are carefully expanding eFiling, using feedback from its users.

Q: What if I miss a deadline/Someone files something I didn't authorize/A document appears altered?

A: Questions of fact or unforeseen circumstances in eFiling cases follow the same procedures to resolve as traditional filings.

Q: Can I view documents online?

A: Yes, in adult case types where you or an attorney from your firm are counsel of record. You must register with the Clerk's Office with your attorneys' names, bar numbers, and contact information. After an authentication process, authorized attorneys will have remote access to the Electronic Court Record Online (ECR Online) to view the images of public documents on their cases. Public records in other adult case types can be viewed by visiting the public access terminals at the Clerk's regional facilities.

Q: How do I learn more?

A: Attend one of the forums sponsored by the Maricopa County Bar Association during the last week of January, attend an eFiling CLE, or visit the Clerk's website. The website offers online training tools, materials, and contact information to register for one of the monthly demonstrations of the eFiling system: www.clerkofcourt.maricopa.gov.

Q: How will the Court know what I think?

A: Attend one of the forums to provide input and/or complete the eFiling survey at http://www.surveymonkey.com/s.aspx?sm=O6uTakBiUSEFodZhZrGujg_3d_3d.

Economic Census

As the newly elected President of the Arizona Association of Counties, I take this opportunity to encourage your support of the 2007 Economic Census. Nearly all businesses will receive a 2007 Economic Census form from the U.S. Census Bureau in this tally done once every five years. The forms ask for basic information like your location, employment, payroll, and sales by type of service. Businesses that receive a form are required by law (Title 13, U.S. Code) to respond by the February deadline. Federal Reserve Board Chairman Ben Bernanke has called this census "indispensable to understanding America's economy." Businesses, communities, and governments use Economic Census data for planning and market development. Statistics are published for more than a thousand industries as well as for states, counties, cities and metropolitan areas at www.census.gov.