

Maricopa Lawyer

Clerk's Corner

By Michael K. Jeanes, Clerk of the Superior Court

Electronic Issues and Attorney Updates

E-signatures

"E-signatures" are an important topic for attorneys participating in electronic filing. One-third of all e-filers submit their pleadings to the Clerk without first entering the "block s" printed name/e-signature of the filing attorney. The e-filing system in Maricopa County Superior Court requires attorneys to register a user name and password to electronically file. Administrative Order 2005-091 states, "[t]he use of the user name and password of an attorney or party shall constitute an original signature pursuant to Ariz. R. Civ. P. 11, where required, on electronically filed documents. The user name when used in conjunction with the personally selected password shall constitute a signature of the registered user on documents submitted to the Court or by the Court. To ensure the intent of the filing participant, the signature line on an electronically filed document will bear the printed name of the filing participant preceded by the symbol "/s/". " Careful attention to this will assist the Clerk in reducing the number of rejected filings and promote compliance with Rule 11 regarding signing pleadings.

The Electronic Court Record

This column often provides updates on how technology is improving the business and customer service of the courts. The electronic court record is an umbrella term for the ways technology is used to process the court record. Understanding terminology and examples of how those individual parts are used helps clarify the overall process.

The electronic court record in the Clerk's Office includes scanning paper filings to create a digital image that is maintained in an electronic repository. By way of several electronic filing pilot programs, filings are also entering the repository as digital images. Minute entries by email, automated workflow processes, and public access terminals that allow viewing images of filed pleadings are all parts of the overall electronic court record.

Recently, the Clerk's Office issued 74 OnBase accounts (the document viewing software) for the child support enforcement section of the Attorney General's (AG) Office, and trained six of their trainers to use the Clerk's electronic repository of images. Over time, the Clerk will expand access to the more than 10 million documents and more than 30 million digital images available in the repository to our customers, thanks to an "enterprise license."

The Attorney General's experience will be typical, as more is done with the electronic court record. Currently, the AG manually delivers thousands of filings per month to the Clerk, manually orders paper case files, and requests photocopies of filings through the mail. Technology now allows the AG to remotely view and print most documents they need to process their cases. This service dramatically reduces wait times and increases the ability to respond quickly to routine filings.

Due to strict quality control standards, the clarity and quality of scanned images makes the electronic court record easy to read and use directly from a computer screen. Actions behind the scenes at the Clerk's Office allow consistently readable documents for processing the court record. The Attorney General joins Clerk's Office staff, judicial staff, the County Attorney, Public Defender, and other court users having direct access to this large electronic repository of images.

Important Note on Making Attorney Address Changes with the Clerk's Office

With the demands of managing a busy firm or private practice, the following update clarifies an important requirement of everyone's law practice. The Clerk's Office maintains one attorney database in the Superior Court automated system. The attorney database automatically updates each case with which an attorney is associated. This feature saves the attorney from updating their changed location or contact information on each individual case. This process does not apply to substitution or withdrawal of counsel, as those reporting requirements are covered in other court rules.

Rule 5.1(b) of the Rules of Civil Procedure state, "...[u]pon relocation, each attorney shall advise the clerk of court and court administrator...of the attorney's current office address and telephone number." For various reasons, attorneys may regularly change their office locations or firms. To effectively comply with Rule 5.1(b), the Clerk's Office needs the following nine items of information:

- Effective date of the change;
- Six-digit state bar number;
- Name as used in court: Last name, First name, Middle Initial;
- Old address;
- New address;
- Telephone number;
- Fax number;
- Agency/Firm association; and
- Name of person submitting the information.

The Clerk's distribution center recommends you include the attorney's email address (if any) and sign up to receive minute entries by email, a faster alternative to receiving paper minute entries by regular mail. If the information is from a new firm, or a change from an entire firm that has moved, please include each attorney member and individual state bar number information to ensure a complete update.

You may submit these updates in one of the following ways:

- From the Clerk's website, www.clerkofcourt.maricopa.gov, select "Court Forms"; "Attorney Address Change Form." Fill in the information and send electronically.
- Mail the information to the Clerk's distribution center at 111 S. 3rd Ave, Phoenix, AZ 85003.
- Fax the information to the Clerk's distribution center at 602.506.6690.
- Hand-deliver the information to any file counter clerk with a request to forward it to the distribution center.

Your partnership in promptly providing the nine items of information above is the best way to help the Clerk maintain an accurate record and get you the information you need

as quickly as possible. For further assistance with location or contact changes or questions on minute entries by email, please contact the Clerk's distribution center at 602.506.7773.