

Maricopa Lawyer
Clerk's Corner
July 2009 (August Issue)

By Michael K. Jeanes, Clerk of the Superior Court

The Importance of Originals

Since January 1, 2007, the Clerk's Office has had the authority to shred original documents filed with the office after scanning and a quality control audit confirms that a digital image exists of the filing. By Administrative Order, the digital image is the original court record in the Superior Court in Maricopa County and most paper filings are shredded after imaging.

Original photographs, certificates, diplomas, and awards attached to pleadings are not exceptions and will be shredded. Judicial officers do not see original documents filed with the Clerk prior to their scanning and disposal. Two of the limited exceptions to this process are original wills and paper bonds, which are scanned, but are also maintained on paper.

Not all documents scan the same. Color photographs and color graphics, specifically, can be problematic. The Office's scanners scan to black-and-white, meaning grayscale images, color photographs or color-coded charts become black-and-white images when entered into the court record, often having a negative impact on a filing's legibility.

Filing parties may file a reproduction of one-of-a-kind documents, keeping the original for the court to mark as an exhibit at a later time. Alternatively, color documents filed electronically will retain the color and legibility with which they are filed. Electronic filings are accepted in all general civil divisions, criminal court trial divisions and in several family court divisions.

If you want to attach photographs, color documents or important original papers or records to a filed pleading, it is best to submit copies of those items because, with few exceptions, documents are shredded after a quality control audit is completed following scanning. The quality control audit matches the number of pages filed with the number of images scanned, page orientation and other clerical oversight. The Clerk's Office cannot enhance or modify the appearance of a scanned document.

More tips related to the filing of original documents on paper:

- Photographs, whether originally in color or black-and-white, do not scan well – try creating a legible copy on paper before filing with the Clerk
- Scanning renders black-and-white photographs in greater contrast, removes gray-tones, and image detail is lost
- Original photographs and color documents are best used as exhibits, rather than attachments to documents; or the filer may choose to electronically file the documents, which will retain the color and legibility with which they are filed

- Scanning renders color documents into black-and-white images, increases contrast and image detail is lost
- With the loss of gray-tones and the increase in contrast, the appearance of color documents can be so changed that they no longer provide the visual information originally intended