THE BRIEF

Electronic Court Record Faces Expansion

The Clerk has asked the Arizona Supreme Court to issue an administrative order that will recognize the electronic court record (ECR) as original documents in Maricopa County Superior Court. On and after Jan. 1, 2007, the Clerk's Office would scan certain paper documents and dispose of the paper, the remaining electronic image having the force and effect of an original. When a certified copy of the original document is needed, the Clerk can print and certify a paper copy of the original electronic image.

The proposed pilot project would take effect in Maricopa County only. The pending administrative order would define the parameters of the pilot project, including the status of electronic images as the original court record, and referencing minimum backup and storage requirements to insure the availability and accuracy of the court record. Some documents exempt from the pilot, pending further order of the court, include lower court appeals documents, original administrative records under review, paper bonds, criminal sentencing minute entries, juvenile documents, water case documents, and depositions and transcripts.

Imaged Files Replace Paper

Beginning Jan. 1, 2007, Clerk's Offices in Maricopa County will no longer provide hard copy files to internal court and the public in adult case types initiated after Jan. 1, 2002 . Customers requesting 2002-2007 hard copy files will be referred to the electronic court record (ECR) at the public access terminals available at all Clerk's locations. Adult cases initiated on or after Jan. 1, 2002 have been scanned and imaged and are available for viewing electronically. Anyone viewing the ECR may print images from the public record as desired; users of public access terminals will be charged the statutory copy fee for print outs.

Adult case type hard copy case files initiated before Jan. 1, 2002 will continue being pulled. However, the automatic eFiling of unsigned minute entries that began Aug. 1, 2006 in adult case types made reviewing the ECR necessary to see the complete court record. In nearly all cases, physical case files in adult case types will not contain paper unsigned minute entries after Aug. 1, 2006. The public can access unofficial unsigned minute entries via the internet on the Clerk's Minute Entry Electronic Distribution System at http://courtminutes.maricopa.gov. Sealed files or documents will continue being pulled and delivered in paper form pursuant to authorized requests for all case types and years.

Between April and Aug. 2006, the Clerk's Office pulled over 92,000 hard copy case files for adult case types initiated in 2002 and later. Ending the operational demands of pulling and delivering public case files that are available electronically allows the Clerk's Office to focus its resources on managing the increasing number of Superior Court filings.

One Year of Brief Updates

This issue of *The Brief* marks the one-year anniversary of the monthly publication. The October 2005 issue referenced 30,000 pieces of paper the Clerk processes each business day and provided an update on the only judicial division eFiling in general civil cases. A year later, the Office processes nearly 45,000 pieces of paper a day and seven judicial divisions are actively eFiling in general civil cases. As the volume of paper filed in the court increases, the need for electronic processes is evident.

The Clerk is committed to providing regular updates to the legal community. The Office has condensed important events, procedures, and operations into a single-page periodical intended to educate, inform, and generate dialogue between the Clerk, courts, and practitioners. Back issues are available on the Clerk's website, www.clerkofcourt.com. To offer feedback on *The Brief* or add an email address to the distribution list, contact COCeVenture@mail.maricopa.gov.