

# **Electronic Court Records in King County Superior Court**

**Homegrown: How and Why it Worked Here**

**Council of Chief Justices**

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# **Session Outline**

- **What King County built, how, and why**
- **What's unique about these systems and our success?**
- **Why we did it the 'home grown' way**

# About Washington State...

- **4 Court Levels**
- **Not a Unified Court System**
- **County Clerks separately elected**
- **AOC provides basic case management system**
- **No statewide document mgmt or e-filing system**

# About King County...

- **Superior Court: general jurisdiction trial court**
  - 53 elected judges / 15 commissioners
- **200 staff in the Clerk's Office**
  - Clerk appointed by judiciary per County Code
- **Two major courthouses: Seattle & Kent**
- **About twice as large as next size county in WA**
  - Between  $\frac{1}{4}$  and  $\frac{1}{3}$  of state caseload
- **12th largest metropolitan area in country**
- **–1,737,034 people (2000)**
- **11th largest county by area in U.S.**
- **–2,307 sq. mi. (Delaware covers 2,044 sq. mi.)**

# **What King County Built**

- **Electronic Court Records (ECR) in King Co.**
  - **An electronic solution to a business problem**
  - ***Includes Electronic Filing***
  - **Official record is electronic**
  - **Statute: RCW 36.23.065 (amended 1998)**
  - **Paper is not, for the most part, retained**

## Revised Code of Washington (RCW) 36.23.065

Destruction and reproduction of court records -- Destruction of receipts for expenses under probate proceedings. Notwithstanding any other law relating to the destruction of court records, the county clerk may cause to be destroyed all documents, records, instruments, books, papers, depositions, and transcripts, in any action or proceeding in the superior court, or otherwise filed in his or her office pursuant to law, if all of the following conditions exist:

(1) The county clerk maintains for the use of the public a photographic film, microphotographic, photostatic, electronic, or similar reproduction of each document, record, instrument, book, paper, deposition, or transcript so destroyed: PROVIDED, That all receipts and canceled checks filed by a personal representative pursuant to RCW 11.76.100 may be removed from the file by order of the court and destroyed the same as an exhibit pursuant to RCW 36.23.070.

(2) At the time of the taking of the photographic film, microphotographic, photostatic, electronic, or similar reproduction, the county clerk or other person under whose direction and control the same was taken, attached thereto, or to the sealed container in which the same was placed and has been kept, or incorporated in the photographic film, microphotographic, photostatic, electronic, or similar reproduction, a certification that the copy is a correct copy of the original, or of a specified part thereof, as the case may be, the date on which taken, and the fact it was taken under the clerk's direction and control. The certificate must be under the official seal of the certifying officer, if there be any, or if the certifying officer is the clerk of a court having a seal, under the seal of such court.

(3) The county clerk promptly seals and stores at least one original or negative of each such photographic film, microphotographic, photostatic, electronic, or similar reproduction in such manner and place as reasonably to assure its preservation indefinitely against loss, theft, defacement, or destruction. **Electronic reproductions are acceptable media for this purpose if one of the following conditions exists:**

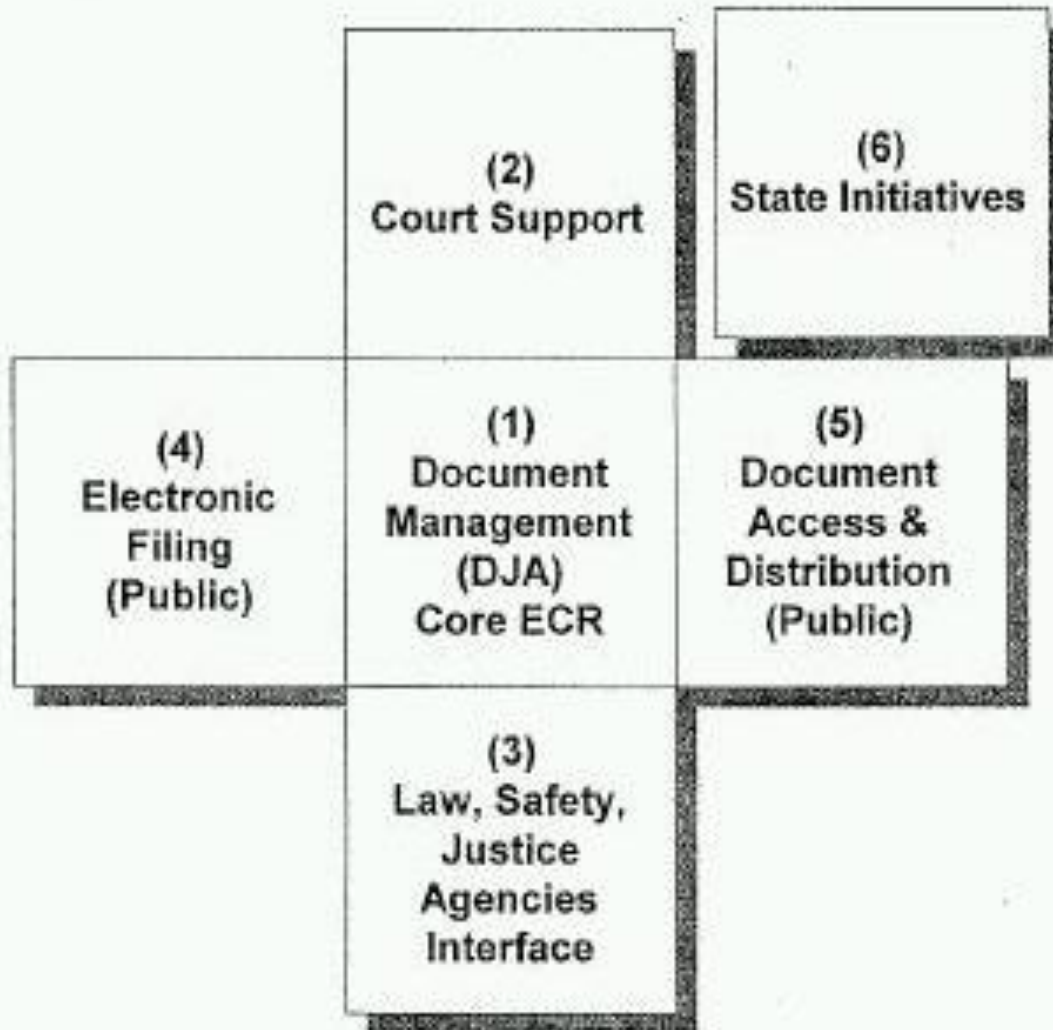
**(a) The electronic reproductions are continuously updated and, if necessary, transferred to another medium to ensure that they are accessible through contemporary and supported electronic or computerized systems; or**

**(b) The electronic reproductions are scheduled to be reproduced on photographic film, microphotographic, photostatic, or similar media for indefinite preservation.**

(4) When copies of public records of the county clerk are transferred to the state archives for security storage, the state archives may only provide certified copies of those records with the written permission of the county clerk who is custodian of those records. When so transferred and authorized, the copies of the public records concerned shall be made by the state archives, which certification shall have the same force and effect as though made by the county clerk who is custodian of the record. If there is a statutory fee for the reproduction of the document, contracts can be made between the county clerk and the state archives for reproduction and certification of the copies, however no certification authority may be transferred except as provided in this subsection and for records of abolished or discontinued offices or agencies under chapter 40.14 RCW.

[1998 c 226 § 1; 1981 c 277 § 10; 1973 c 14 § 1; 1971 c 29 § 1; 1963 c 4 § 36.23.065. Prior: 1957 c 201 § 1.]

# Master Plan



# **What King County Built**

- **Electronic file/document management**
  - Core system, including work flow
- **Connectivity**
  - Including web viewer
- **Electronic filing over the Internet**
  - Initiating new cases
  - Filing in existing cases
  - Online forms
  - Judicial officer filings (with digital signatures)
  - Collecting filing and document fees online
- **Most recent components**
  - Public online access
  - E-service component of e-filing



# **How King County Built It**

- **Local government funding, ownership, control**
  - **Here, the Court owns the record**
  - **Efficiency-based technology project**
- **Custom-built by one vendor, an integrator**
  - **Extensive involvement by those doing the work**
  - **Also by stakeholders**
- **Local project, based in State/national standards**
  - **Worked directly to help build these standards**
- **Cost approx. \$4.5 mil for total masterplan**
- **Payback has been over \$5 mil to the County**
- **No fees to e-file**

# **What Have We Gained From It?**

- **ECR is an incredible efficiency!**
  - Staff positions eliminated
  - Reduced, eliminated other costs (e.g., microfilm)
  - Other: saved space & time
- **Faster processing**
  - Previous 5+ days filing-to-file, now 2 days
- **Hardly any lost, misfiled records**
- **Independent access by multiple users**
- **Better privileges management, security**
- **Better disaster recovery**
- **Continuous change, improvements, challenges**

**What's Unique About It?**

**What Lessons Learned?**

# **What's Unique About King County's System?**

- **It's not just scanning and imaging**
- **It's not just e-filing**
- **Electronic records are official**
  - **No dual systems; not keeping the papers**
- **Connectivity (county law, safety, & justice)**
  - **Desktop access, training, equipment**
  - **Written protocols clarify expectations**
- **Stakeholder Involvement**

# **What's Unique About King County's System?**

- **Better access/controls for sealed records**
- **ECR interacts with statewide mainframe**
- **Two versions of the ECR program:**
  - **CORE – on each staff person's desktop**
  - **ECR Viewer – Web-based, needing only a browser**
- **Specialized features**
  - **Automated assembly of documents on appeal**
- **Electronic filing (PDF or TIF) is only a component of our success**

# **What Lessons Learned?**

- **Electronic filing has not been the big star of our ECR program/It's not the biggest reason for the cost savings**
- **The working papers practice is difficult to translate into the electronic**
- **E-filing is another mechanism of access to the court/clerk**
- **E-filing is attractive if records are kept electronically/if paper record is not also kept**
- **E-filing is better when mandated**

# **What Lessons Learned?**

- **Electronic Document Management and E-filing systems can be a major efficiency**
- **Court systems are different than other document management and access systems**
- **Have a VISION – share with all who will listen**
- **Written Master Plan – all on the same page**
- **Involve, learn from stakeholders**
- **Segmented implementation – any one phase is a “win”**

# **Where Will This Take Us?**

- **E-filing is here & easy to do**
- **E-service is an added benefit for e-filers**
- **Electronic notices from the Clerk/future**
- **Working papers/still need to solve**
- **Online forms**
- **Automating data capture/entry/exchange**
- **Ongoing change – a fact of our lives**



# **FOLLOW-UP INFORMATION**

**The ECR Program was awarded an Innovations in  
Government Award**

**Harvard University, Kennedy School of Government,  
Ash Institute**

[http://ashinstitute.harvard.edu/corporate\\_site/innovations](http://ashinstitute.harvard.edu/corporate_site/innovations)

**Invitational Conference on Electronic Court Records  
in August in Seattle**

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