



# THE ROUTE TO MANDATORY EFILE

**Amanda Armstrong - Business Analyst**  
**Jackie Wray - Applications Specialist**

PHOTOGRAPH CREDIT  
MICHAEL HIBBLER  
KUAR NEWS

#2017ACAP

## Building Bridges

**Arkansas Court Automation Program Systems Conference 2017**

# PANEL SPEAKERS

#2017ACAP

- Tanya Diotte Grant County Circuit Clerk  
eFiling since July 2015
- Nancy Eastham Faulkner County Circuit Court  
Deputy Clerk  
eFiling since June 2016

# SLIDE TITLE

#2017ACAP

Administrative Order 21 provides that eFiling becomes mandatory one year after go live.

This panel discussion explains the details of exceptions to mandatory eFiling.

# MANDATORY DATES FOR ARKANSAS COURTS

- Arkansas Supreme Court and Court of Appeals
  - Motions September 2016
  - Briefs October 2017
- Hot Spring District Court (Malvern)
  - Small Claims and Civil May 2017
  - Traffic and Criminal July 2017

# **MANDATORY DATES FOR ARKANSAS CIRCUIT COURTS**

• Pulaski	March 2013
• Grant	June 2016
• Hot Spring	June 2016
• Lonoke	June 2017
• Faulkner	June 2017
• Van Buren	June 2017
• Crawford	August 2017
• Miller	October 2017
• Benton	November 2017

# **ADMINISTRATIVE ORDER 21**

## **KEY PROVISIONS**

Once implemented, eFiling is mandatory only if:

1. Mechanism for waiving fees
2. Exceptions to ensure access to justice for indigent, disabled, self-represented, litigants with special needs
3. Advance notice of mandatory participation
4. One year transition period allowing both paper and electronic filings
5. Training for filers in the use of the process

# **ADMINISTRATIVE ORDER 21**

## **KEY PROVISIONS**

### Safe Harbor Provisions

- A technical failure of the electronic filing system shall excuse an untimely filing
- Technical problems of unavoidable casualty, such as problems with user's internet
- Conventional filings allowed
- Party submitting an untimely filing may seek relief, and the court, for good cause shown, may excuse an untimely filing

# EXCEPTIONS TO MANDATORY EFILEING

- Sealed Cases
- Documents not available in electronic form
- Documents too lengthy to electronically image
- Filings from indigent, disabled, self-represented litigants
- Filer training is scheduled for a future date
- Specific case or documents that are not set up in eFlex or require hardcopy original
- Color documents, photographs, videos
- Technical failure
- Filings from non efilings courts
- Other specific exceptions approved by the Clerk

# IMPACT OF MANDATORY EFILE

- Reduction of
  - Foot traffic and calls into office
  - Printing and making copies
  - Processing physical monies
  - Storage area for paper files
- Allows more time to assist pro se, indigent, and self-represented filers

# WORDS OF ADVICE

- Attorneys that want to continue sending in paper
- Attorney or litigant missed filing deadline
- Communicating with other offices; courts, prosecuting attorney, public defender, title and companies, process servers
- Data clean up
  - Adding parties on older cases
  - Ending parties on cases
  - Correcting parties listed on cases
  - Security of cases, dockets, images