

Hamilton County E-Filing Implementation

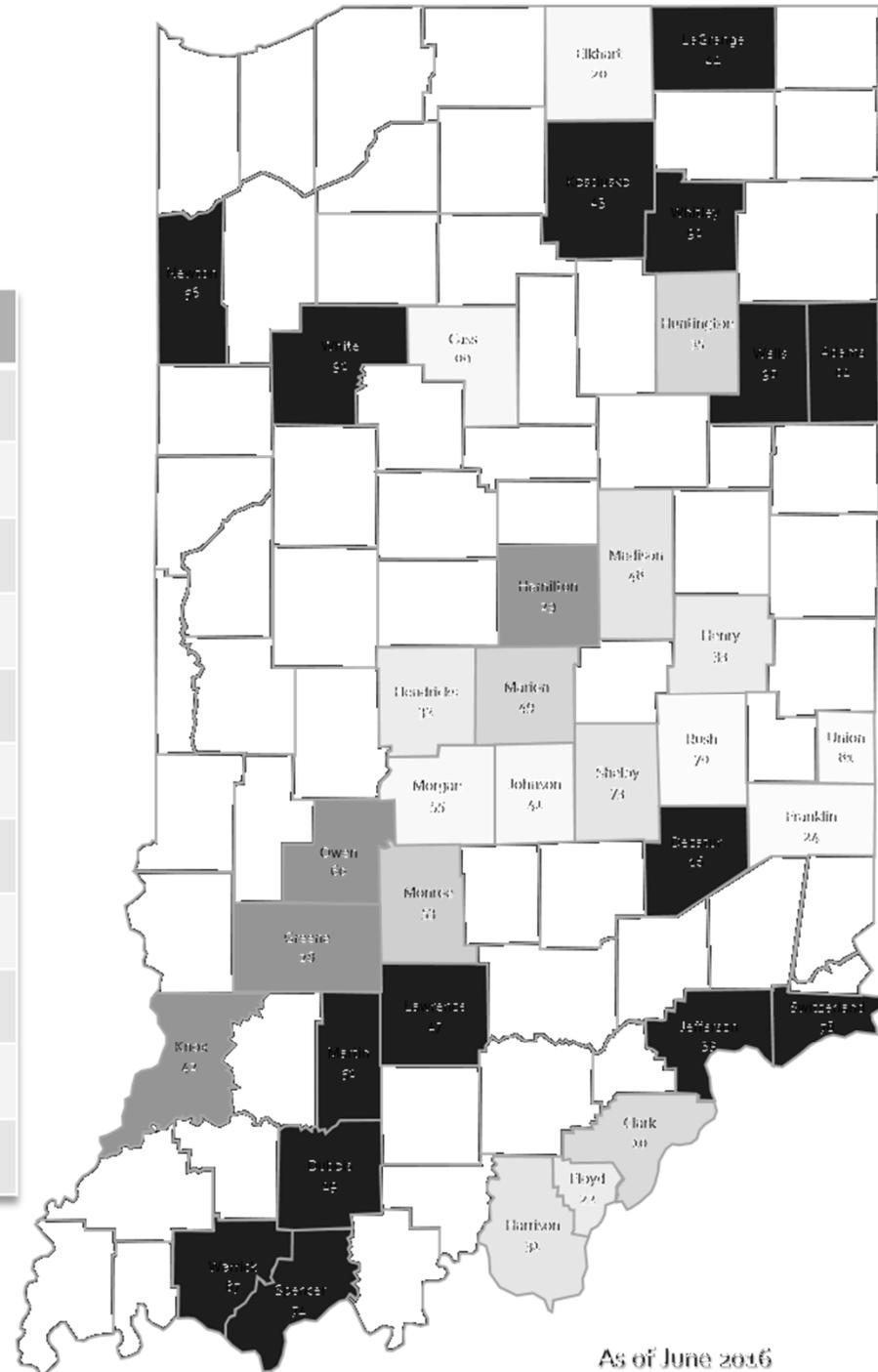
Andre Miksha
Chief Deputy Prosecuting Attorney
24th Judicial Circuit (Hamilton Co.)
Noblesville, Indiana

What Does E-Filing Really Mean?

- Electronic Service to Parties and the Court
 - Faster service of pleadings
 - Verifiable service of pleadings
 - Integration with other technology
- Court documents available online
 - Secured access with links to orders and pleadings
 - *Public access to documents* (future)

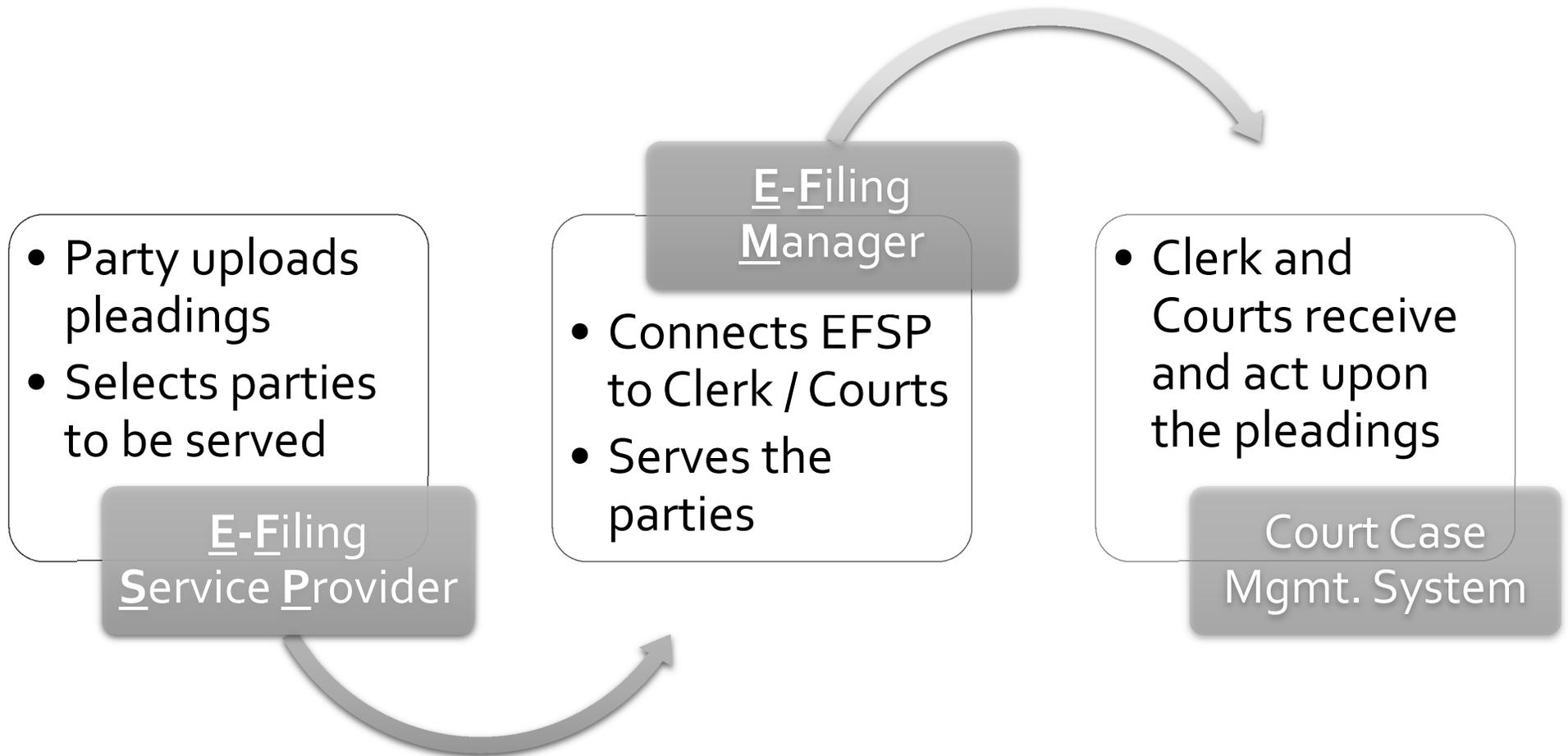
Where are we IN the process?

Co. Color	Voluntary	Mandatory
	July 2015	July 2016
	Jan 2016	Sept 2016
	Mar 2016	Sept 2016
	Apr/May 2016	Sept 2016
	July 2016	Sept 2016
	Aug 2016	Sept 2016
	Sept 2016	Nov 2016
	Oct 2016	Dec 2016
	Nov 2016	Jan 2017
	Dec 2016	Feb 2017
	TBD	



How Does E-Filing Work?

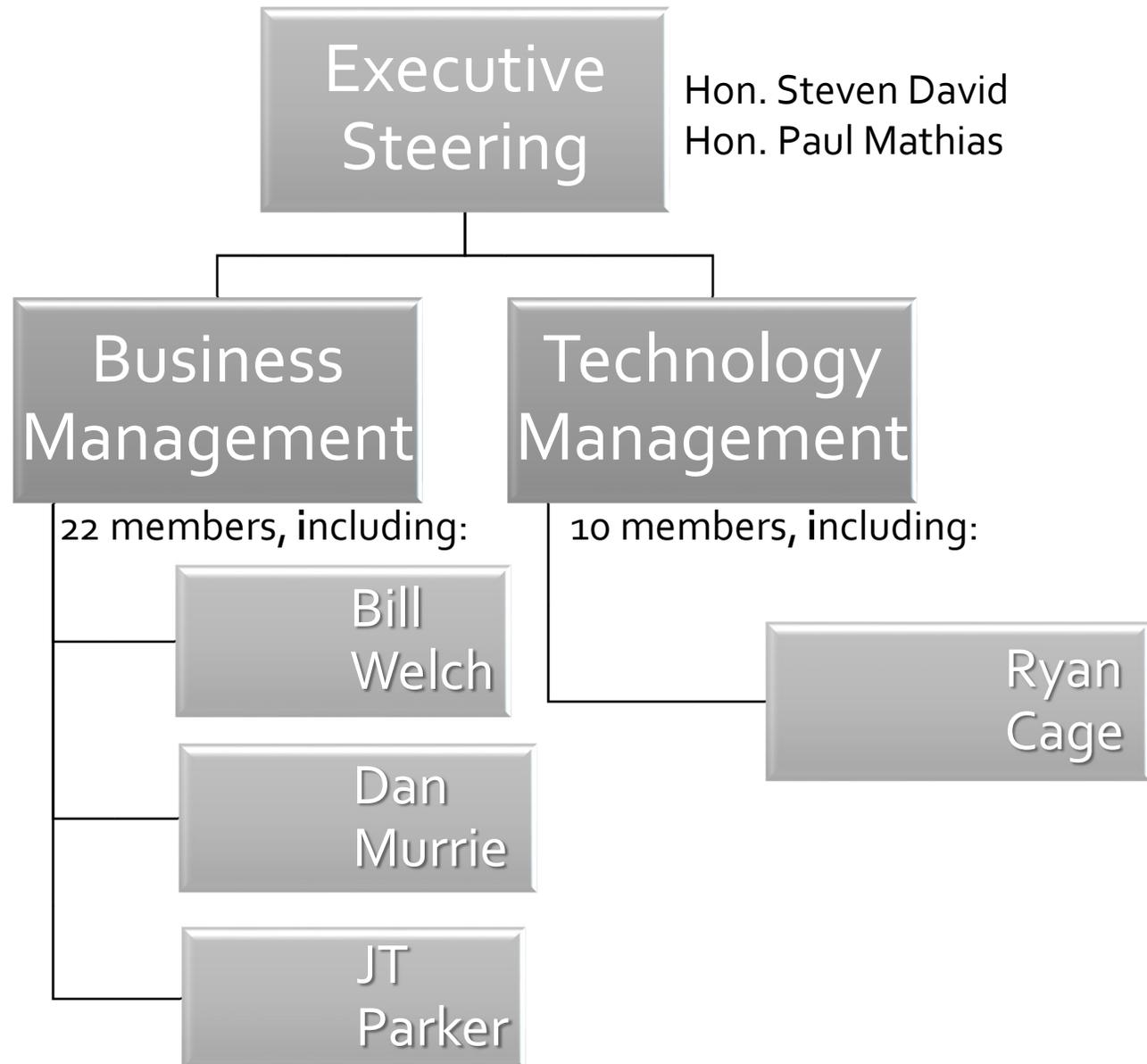
- Same mission; different execution.



How Did We Get Here?

- **2013:** Supreme Court forms *Ad Hoc* Rules Committee to develop e-filing rules
- **May 2014:** Supreme Court order directing State Court Admin. to begin a statewide e-filing project
- **May 2014:** Proposed amendments to Ind. T.R.
- **July 2014:** Public Notice for EFM bidding
- **Sept. 2014:** Ind. T.R. amended, but effective only upon further order of the Court.
- **June 2015:** Tyler Technologies selected to manage e-filing initiative
- **August 2015:** e-Filing project underway in pilot county

How Are the PAs Represented?



How Do You Accept e-Service?

- Email to a designated email address
 - Basic summary of what was filed
 - Link to a copy of the document
 - EFM records if/when the document was downloaded

E-Service of Orders, too?

- Email to a designated email address
 - Basic summary of what was filed
 - Link to a copy of the document
 - EFM records if/when the document was downloaded

[Yep, same process]

How Does the Courts' EFSP Work?

Filing into an Existing Case



How Does PCMS e-Filing Work?

The screenshot displays the PCMS e-Filing system interface. The browser address bar shows <https://hamilton.inpcms.org>. The page title is "Criminal Management" and the user is logged in as "Andre Miksha". The interface includes a navigation menu with options like "View", "Wizards", "Modules", "Search", "Reports", "Setup", "Help", and "Close Tabs".

The main content area shows the details for case "29D06-1605-CM-003741 - Open Case", which was last updated on 05/25/2016 by "pmg". The case status is "OPEN".

Key case information includes:

- Cause Number: 29D06-1605-CM-003741
- Filed Date: 05/18/2016
- Charging Pros.: Summerfield, Amy B
- Assigned Pros.: Stevenson, Caroline A.
- Agency: [IN0290000] Hamilton County Sheriff's Department
- OACN: 16-010576
- TCN: [Empty]

The interface also features a sidebar with a tree view of case components, including Case Notes, Offender (Morgan Elizabeth McClintock), Case Counts (Count 1 - Driving While Suspend), Pros Witnesses, Dates, Built Documents, and File Stamped Documents.

Additional case details and checkboxes are visible at the bottom of the page, including:

- Warrant Requested:
- Warrant Reissued:
- Advocate: [Empty]
- Special Prosecutor:
- Hold: [Empty]
- Attorney: [Empty]
- Attorney Type: [Empty]
- Court Division: [Empty]
- FTA:
- Firearm:
- Shoplift:
- Confidential:
- Search Warrant:
- Gang:
- Casino:
- Domestic Violence:
- Sexually Violent Predator:
- Costs Only:
- State Police Lab:
- ACE: [Empty]
- Blood Draw:
- Chemical Test Refusal:
- GPB:

What is Trial Rule 86?

- Special e-Filing program rule
- Goes into effect upon special order of Indiana Supreme Court

T.R. 86(C)

Commencement of an Action.

“An action must be commenced:

- “(1) by **using the Indiana E-Filing System** unless exempted by these rules;
- “(2) by paying the filing fee unless the fee is waived by an order of the court; and
- “(3) by filing the complaint or equivalent pleading and the required summons(es) in the form set out in TR.R. 4(C).”

T.R. 86(G)

Service of Pleading and Other Papers.

- Initial Filings:
 - Filer shall file completed summonses to the Clerk, the Clerk will date, sign, seal, and send back to Filer for service.
- Subsequent Filings:
 - E-Filing System service upon Registered User has same legal effect as service of an original paper document
 - Deemed complete upon transmission

T.R. 86(I) **Signature.**

Either:

“a graphic image of a
handwritten signature”

or

“the indicator `/s/`
followed by the
person’s name”

T.R. 86(J)

Time and Effect.

- Considered E-filed upon the date and time reflected in the Notice of Electronic Filing.
- Midnight* filings!
 - *Time zone of the Court
- “E-Filing ... shall be available 24 hours a day.”

T.R. 86(O)

Appearances.

- Orders, Notices, and “all documents served under T.R. 86 will be sent to the attorney at the email address(es) on the **Roll of Attorneys** regardless of other contact information supplied by the attorney.”

What Did the Pilot Program Teach the Practitioners?

- All change is hard

What Did the Pilot Program Teach the Practitioners?

- Important to keep the mission in mind
... and that only its execution is changing

What Did the Pilot Program Teach the Practitioners?

- Opportunity to address other inefficiencies

What Remains Unresolved?

- IND. CODE § 35-34-1-2(b)(2)

What Remains Unresolved?

- Immediate Action

Andre Miksha
CDPA
Hamilton County

317-776-8595

Andre.Miksha@hamiltoncounty.in.gov

