



Submitted Questions

12/6/11 LFUG Meeting

LFUG Meeting Participants: Thank you for your inquiries. Court responses detailed in this document are based on the best information we have available at the current time. As new information becomes available, we will update these responses to provide you with the most current, concise, and accurate information possible. Again, thank you for your time and interest in e-filing with the Second and Fourth Judicial Districts.

- 1. Are we to eFile ONLY to those cases designated as being managed electronically; or is it acceptable to eFile to ALL CIVIL cases in both Hennepin and Ramsey counties?**

In Hennepin Civil, these cases may be e-filed into:

- Cases that have been initiated through e-filing,
- Cases that are not assigned to a judge (e.g. Most Default Judgments, Confession of Judgments, etc.),
- Cases that have been ordered into e-filing by the assigned judge
- Cases that are among caseloads of the following judges:
 - Bernhardson
 - Blaeser
 - Bush
 - Chu
 - Poston
 - Reilly

Hennepin Civil is planning to begin e-filing into ANY Hennepin civil case (regardless of how the case was initiated i.e. paper) soon, and hope to announce the date early next week. Please watch our website for updates.

Hennepin Family Court accepts electronic filings into any existing case (whether paper or electronic) and accepts filing for purposes of case initiation.

Ramsey accepts filings into all civil case types; [see complete list](#), and family child support and paternity case types.

2. **I have noticed that even if I've never eFiled on a case before, if I pull it up on the EFile system and it is there, I can eFile into it! That was a cool discovery.**

The reason this happens is that the Odyssey File and Serve (OFS) system first searches for a case in OFS and if it doesn't find it, it searches for the case in MNCIS. If you are filing in the Second District or in the Fourth District's Family Court, you can go ahead and e-file into the case. For Fourth District Civil cases, it's a different story. Most of our open files assigned to judges are still maintained in paper only format. Cases that have been initiated through e-filing, are not assigned to a judge (e.g. Most Default Judgments, Confession of Judgments, etc.), have been ordered into e-filing by the assigned judge or are among active e-filed caseloads for Judges. If you're wondering whether you can e-file into a specific case that you know wasn't initiated with e-filing, please contact the Fourth District's Civil Filing Division.

3. **I've noticed that opposing counsel are not listing themselves as service contacts on their cases. We have a case with a firm who is in the pilot project, and I couldn't even e-serve them our prehearing statement because they didn't have specific attorneys listed as service contacts for the specific cases. So, in essence, I still had to serve with paper because they didn't list themselves as service contacts. Perhaps that is something that is being missed in trainings????**

This requirement is emphasized in training. If the case has been ordered into e-filing, opposing counsel are compelled to use the OFS system. The initial pilot firms also agreed to use the OFS system. Lastly, any attorney or firm who does use OFS must enter into the agreement to add themselves as service contacts on all of their electronic cases. For all other cases, use of the system is still voluntary rather than mandatory for attorneys. If your case has either been ordered into e-filing, you know the opposing counsel has used OFS or you'd like to request that the case be ordered into e-filing, you should contact the assigned judge to make a request for an e-filing order or let them know the opposing counsel has not complied with the existing order or OFS agreement as applicable. Until we move to a mandatory environment, parties and the court won't be able to take advantage of the significant benefits of e-Service until all attorneys on the case are registered with OFS.

In Ramsey County, the judges in the Civil Division added language to the scheduling order that mandates attorney's to sign up for OFS. This does not require the attorney to utilize e-filing or e-service. However this will enable the Court and opposing counsel to use the e-service functions. Non-represented parties are exempt from this requirement.

2nd District Civil judges have started incorporating e-service requirements into their scheduling orders. All parties on a case are required to sign up as a service contact, and the judge's orders for that case will then be e-served. This also makes it possible for the parties to e-serve each other throughout the life of the case.

4. **Our administrator is unable to find the county in which the eFiling/eService was made on the Excel spreadsheet which she downloads monthly. She needs to know for each billing which county was involved. Is she missing where this information is located or would you be able to add a column with this information?**

The location is currently not a field on the Excel spreadsheet. One possible way to identify the court would be by the case number. Case numbers starting with 27 CV are Hennepin-Civil, 27 FA or 27 PA FA are Hennepin-Family, 62 CV are Ramsey Civil and 62 F are Ramsey-Family.

Generally, 62-CV is Ramsey Civil and 62-FA or 62-F is Ramsey Family cases. Alternatively, they could select the separate locations and filter the queue before downloading.

5. **Our understanding is that right now everyone is encouraged to eFile but it is not being enforced yet? Is there a timeline of when eFiling will be enforced (mandatory)?**

Not at this time. The Court is currently working on a timeline for mandatory e-filing for selected Civil Cases type and all Family Case types. Dates, at this point, are uncertain but the Court will keep you updated.

6. **Is there a way to view all the pleadings in a case, not just the pleadings our firm has filed?**

One can view all the pleadings in a case at the courthouse using MPA Courthouse view. Hennepin County has document viewing stations set up in the Records Center on the B-Level in the Hennepin County Government Center. Currently, in Odyssey File & Serve (OFS), users are limited to viewing only the pleading their firm has filed.

Ramsey County has public viewing stations available within the courthouse on the 6th floor.

7. **When attaching exhibits to a memorandum, affidavit, etc., do we submit one entire document, i.e., the exhibits attached right to the memorandum or do we set apart the exhibits as an "attachment" to the document? If it is considered an "attachment" can we submit all the exhibits together or should we break them down into Exhibit 1, Exhibit 2, etc.?**

We do not have a standard defined at this time, so the directive on this should be considered temporary until we define those standards in the next year. For the moment, the answer to this depends to some degree on the size of the documents. If the filing is under the recommended 5 MB per document/25MB per envelope, then the exhibits may be attached to the memo, affidavit, etc. either as one document or as a lead document with attachments. If the size is greater than the recommendation, then the filing should be split into separate filing codes or envelopes as needed.

8. **Should the hard copies going to the Judge be copies of the signed originals, conformed original, or e-stamped version of the document?**

Check with the assigned judge to see if they want courtesy copies.

In addition, check with the judge to see the format preferred for courtesy copies. Judges may prefer digital (email) or paper copies.

For Ramsey County Civil Cases, all of the civil judges want courtesy copies (clearly marked courtesy copy) mailed directly to chambers – the notice tells them not to fax the courtesy copies.

9. **If a document is identified as having a “format error” does the whole envelope get rejected to just the one document?**

If there is more than one filing in the envelope, each will have a separate status. An envelope with multiple filings can have different status of each filing.

The status for all documents in an envelope can be checked in the Filing Queue of Odyssey File and Serve.

10. **Where do I access the Excel spreadsheet that contains the information for all the filings in our firm that contains our internal file reference?**

This is found on the Filing Queue tab in Odyssey File & Serve. If you are your firm's administrator you can choose to see not only your filings but also all filing completed by users in your firm. Use the filters on the Filing Queue tab to find the filings you are interested in (filings by myself or my firm, status, location, date range) and then choose to download. This will create the Excel spreadsheet you are looking for. Please note, currently the spreadsheet will only display 1000 lines. If your firm does a lot of filings you may need to narrow your date range to view all filings.

11. **It would be nice to be able to log on to see if the case has been eFiled or paper filed. At any rate, this issue will be moot if it is made mandatory.**

This is only an issue for Hennepin Civil cases and it is temporary. During the first quarter of 2012 we expect the restrictions in place to be eliminated.

12. **I would also like to see a way to distinguish in the service list between attorneys and secretaries. It's hard to tell who you are serving and who you need to serve by paper. See Question 15.**

This would require an enhancement to the application. At this time we do not expect any changes in this area.

- 13. Is it possible to make the document security default to public and that we would need to change it if it is not? I imagine it is most often public.**

At this time, filers must choose the security level of each document filed to ensure the correct security level. In future OFS versions, this default document security level feature may become automated pending additional Court review and discussion.

- 14. I know an issue as to whether or not we should get emails when we have filed/served something. When I eFile something, I request a copy be sent to me and then I know it has been served/accepted. I would rather not get emails notifying me it has been accepted, but it appears that is what the majority of people prefer.**

In the current version of the e-Filing platform, the Court has decided not to send emails notifying parties of the acceptance status of their respective e-filings due to several important reasons. First, OFS filings should be viewed as an “accepted upon submission e-filing system” unless the filing has the wrong case number, wrong venue or insufficient filing fees. Secondly, the OFS attorney portal is an accurate, efficient and convenient way for filers to determine if their document has been accepted. Thirdly, a lack of popular support by filers in response to a recent e-survey regarding e-mail notifications put this particular strategy on hold. Fourthly, technical concerns that OFS would not be able to globally capture this data accurately might provide filers with a false sense of security. For example, if your filing was rejected because of a format error by the vendor or a failed credit card transaction, no email would be sent. Finally, a concern with email “overload” which might persuade some filers to filter and divert these emails to their junk mail. The Court’s best advice for filers is to actively monitor your portal queue for filing status updates and to carefully check your filings to ensure a proper case number, the correct court venue, and adequate filing fees to cover the filing.

In the new upcoming version of OFS, the Court has been notified that the vendor will offer e-mail notifications that can be self-configured by any registered OFS user. However, the Court lacks sufficient information on this proposed feature at this time to provide any specific details. We will provide OFS users with additional updates as they become available.

- 15. In Federal Court, a Legal Administrative Assistant (LAA) can add her email address as an “addition” to the attorney so we receive Notices of ECF. The way Odyssey has it set up, you need to add the LLA to the service list in order to receive notification. My attorney does not want me SERVED. Is there some way to designate in the service list attorney vs. LLA? If not, when you serve, you don’t know which person is an attorney, which is an LLA for other firms. Another issue – because you don’t know, all names will have to be on a Certificate of Service which makes for a more lengthy list, and again, my attorney does not want my name on the service list. LLAs take care of the filing, organizing, running hard copies, thus important LAAs receive notification – attorneys do not forward to LLA. Granted, when we ECF a document, I can add my email address into the “courtesy copy box”, but I need to receive ECF items from other counsel as well!**

The current version of OFS does not provide a systems solution for your question. The vendor has been notified of your inquiry and is looking into how this issue could be handled in a future version of OFS. We will keep you updated as information becomes available.

- 16. At a previous web training it was stated that if late in the day, you should be sure NOT to select SERVE&FILE because service would not happen as quickly; that you should select SERVE ONLY and ECF the documents; and then a second time, ECF all the same documents by ECF FILE ONLY. This seems to be a waste of time that we don't have, and with attorneys waiting until the end of the day as it is, we are rushing to ECF not only once, but twice?**

If a filing is submitted to be e-filed and served, service will NOT happen until the court has reviewed and accepted the filing. If it is late in the day, we cannot guarantee we will get to your filing by the end of the day let alone that it will be accepted. It may take a little more time to separate but by doing so you are ensured that your service will be timely.

It should also be noted that this separation would only be necessary if same day service is critical. Filing late in the day, in itself, does not require separation. This would only be necessary to guarantee same day service.

- 17. Is there a MN Supreme Court Order (in Ramsey County at least) that the updated Rule 5.02 would make email service upon opposing counsel authorized?**

There is a [Supreme Court order](#) that allows for the use of E-Service for attorneys.

- 18. Credit Card Reference of File Number. What is provided? What can be extracted?**

According to the vendor, the Order ID is used as the soft descriptor to the CC vendor. So the filer should have an easier time to reconcile the credit card statement. In addition, the "Export" feature in F&S captures the information that the user was asking for. The Export feature was designed for the purpose of helping the filer reconcile their billing.

- 19. Option to perform test filing to see how goes thru.**

OFS does not contain a user option to test the submittal of a filing. You can submit a filing and monitor your portal queue to determine the status of the filing. The Courts have dedicated substantial resources to test and ensure a reliable and fully-functional OFS platform. Please be assured that filing submittal and acceptance issues are a top support priority for the Courts and the vendor.

- 20. Ability for Administrator to unlock a user that has logged in to many times. After three attempts, locked out. Add note to top of page indicating that if you log in more than three times unsuccessfully, you will be locked out. Administrators should keep a log that users are aware of and should be called if two successful attempts.**

We will pass your comments on to the appropriate parties.

According to the vendor, in the current OFS 2.4 version, the vendor would have to be notified by the firm administrator to unlock the user account. In a planned future version of OFS, the firm administrator will have the ability to unlock a user account. No additional information is available at this time.

- 21. Is a filing considered timing if a rejected format error was received?**

An e-filing protocol and instructions guidance has been put in place to address issues caused by OFS system rejection issues or "format error". There are two help desk documents available on the [Court's e-filing website](#) under "Instructions to Process Format Rejection Errors" and the [OFS Login screen](#) you may click on these links to access this information.

- 22. Are e-filings reviewed by court personnel manually up to time the court office closes at 4:30 pm or is there an automated process for accepting/rejecting eFilings. If an eFiling is rejected and a secretary stays at work late to re-eFile the documents, would the eFiling be timely? How long would it take at that point to learn if a revised e-filing was accepted or again rejected?**

Court hours are 8:00 am to 4:30 pm Monday-Friday. The Court is closed to the public on Wednesday afternoons from 1:30 to 4:30 pm, however staff are available to process electronic filings. The Court is also closed on [recognized holidays](#). If time permits, cases are reviewed by staff up to 4:30 pm but there is no guarantee that they will be able to process a filing submitted very late in the day. There is no automated review in place after normal business hours, but if the case is accepted the next work day, the filing date is the date submitted and could be timely if accepted. Any rejections would be made during the next court work day. If after 4:30 and staff reviews the next day and the document is rejected, the original filing date will not be preserved.

23. **Our initial understanding of the “Filing Queue” was that any “user” in our firm would be able to view the information and status of all cases filed by our firm, regardless of which user completed the actual filing. For example, an attorney would be able to view in their own “user” filing queue the information and status of documents that were filed by their legal assistant (using her own user ID and password) on behalf of the attorney. After having two separate conversations with Tyler Technologies, it is now my understanding that only the “firm administrator” has the ability to see all firm efilings and that individual “users” can only see what has been filed under their specific user name. Please confirm that my understanding is accurate.**

This is correct.

24. **If a filing is rejected, it would be helpful to have an explanation as to why. Perhaps that could be included in the e-mail as well.**

Current business practice dictates that the rejection reason(s) is included in the Details in the Review Log located at the bottom of the Filing Details.

25. **Is there an extra step one can take to check a box or something if you do not want to receive the e-mails?**

Please see response to Question No. 14.

26. **Will there be a way for our office to add a third party to the participants tab? We often have Guardian ad Litem, "third party caretaker", "Interested Party" case participants. We currently add that information to one of the comments sections and the information is entered by people in district court filing.**

This functionality is currently not available in the current OFS version but may be available in a future release of the application. We will keep you updated as to future enhancements of the OFS system. Thank you for your suggestion.

27. **Has there has been discussion of improving the quality of the receipt available to the user after an e-filing. Presently, the “filing details” is the only available receipt. It does not include the case name. Also, the “Envelope ID,” “Transaction ID,” “User Filing Number,” and “Filing ID” do not carry over to the credit card statement (a “reference number” is all we see there). The system as-is creates a difficult accounting chore when we have to reconcile charges to particular case matters. It would be a more friendly system if one of the several unique identifiers we see on the “filing details” also appeared on the credit card statement.**

According to the vendor, the Order ID is used as the soft descriptor to the CC vendor. So the filer should have an easier time to reconcile the credit card statement. In addition, the "Export" feature in F&S captures the information that the user was asking for. The Export feature was designed for the purpose of helping the filer reconcile their billing.

- 28. From what I recall, only the attorney on the file gets the emails that something has been filed. It would be nice if each attorney could elect one other person from their office to get these notifications.**

If you would like any other person to receive an email notification that a document filed as been accepted by district court you can add their email address to the "Courtesy Copy" field on the Envelope tab when filing. Courtesy copies are sent out after the document has been accepted by district court and can serve as notification. Please note, if a filing is rejected, no courtesy copy is sent.

- 29. The accounting system. I need to print out proof what was charged to a certain file and right now on the Excel Spreadsheet, it does not show the filing number that we put in the Reference Number. This number is usually our client number. It would be an enormous help to our bookkeeping department to receive what each charge from the Court was for which file number (our company's reference number). Right now it is set up to show the Court File No., approved, what the case is, etc. However, for bookkeeping purposes for our clients, we would really like the reference number we insert in there to be added. Is that possible.**

The Excel spreadsheet does include the Reference Number. It is labeled as "User Filing Number". According to the Vendor, F&S sends an OrderID to the credit card. The OrderID is in the Export file and can be used as a cross reference for the case number in the file. The OrderID is also displayed in the Details Dialog

- 30. I'd appreciate it if you could pass along that it would be helpful if we were able to determine from MNCIS whether or not the file is an "eFile only" file.**

In Ramsey Civil Court, registered users can e-file into any case. In Hennepin Civil Court, registered users are temporarily restricted from e-filing into a paper case. However, this temporary restriction will be lifted in the near future. In Hennepin Family, filers can e-file into any case.

- 31. I LOVE the fact that we can e-file in the 4th district, so whatever I can do to make this get to other districts, let me know!**

Thank you for your support. We will pass on your comments to the appropriate Court leadership. The Minnesota Judicial Branch is pursuing a statewide initiative that envisions a paperless Court system over the next several years.

- 32. Will Hennepin County get “Chat” capabilities like Ramsey? That is a feature we find most helpful.**

We expect this option to be considered in the long term support model but no decisions have been made at this time.

- 33. Is there an easy way to access the tylerhost.net site to begin the e-file process? The only option I see on the Hennepin County website homepage is the "e-file" tab and when I click on that, it just brings me to the process on how to register, e-filing tutorials, etc. Am I missing something?**

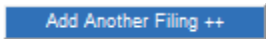
Currently the tylerhost.net site is not advertised on our 4th District e-Filing website. After the firm’s administrator attends training they receive a link to the tylerhost.net site and are responsible for sharing the site with other users in their firm. It is recommended that once you receive the site address you save it as a favorite in your web browser.

- 34. I am noticing when I receive services that they are sometimes days after they have been filed. I received one yesterday afternoon (12/14) that was file stamped 12/9. I just want to make sure that is correct because I know you guys have been accepting these filings almost immediately.**

December 9 was a Friday which depending on the number of filings in the queue was not reviewed until the following week. When a filer utilizes “E-File & Serve”, service occurs after district court has reviewed and accepted the filing. The file stamp will be the date and time the filer submitted the document to district court. So it is possible that the file stamp date will not match the date service is completed. When filing, if service must be completed by a certain date, it is best to utilize “Service Only” for service as service will occur as soon as the document is upload. Then utilize “E-File Only” to send the document to district court.

- 35. I’m doing my first e-filing today and it is a motion. I’ve done tons of Federal ECF filings but am unclear on a couple procedures for the District Court e-filing system. I’m filing a motion. In ECF each pleading (i.e., the Notice of Motion, the Memorandum, the Affidavit, and the Proposed Order) are filed as separate entries. I am unclear if that is the procedure for the district courts. I don’t want to file them each separately and pay a big fee!**

The Notice of Motion and Motion, the Memo, the Affidavit and the Proposed Order should be SEPARATE filing codes within the same envelope. You can click on the

 Add Another Filing ++

button found after the Reference number to add the second, third and fourth filings. The \$100 motion fee should be attached to the Notice of Motion and Motion. The other filings would have “None” for the fee. If you are also e-serving the documents, as long as you do so in the same envelope, you would only pay a \$3 fee for e-service. (The e-service fee is per envelope whether there is one filing to one service recipient in the envelope or 10 filings to 100 service recipients.)

- 36. Ability to view the documents or re-download or print similar to Pacer. While in federal we get one free look at the email and do save to our servers. Often if an attorney is out-of-the-office they may wish to view and are willing to pay the Pacer per page rate for the convenience to see and download again on the fly. Our office is paperless, working exclusively with PDF documents. The ability to see all case files would be extremely beneficial.**

As I understand it, presently the eFile system just shows a list of documents our firm only has filed and not all case documents. Further, you cannot view any of the documents themselves, but can view a list of them in the public case management system; i.e., eFile and case management systems are two different systems.

While we rarely work in federal court, we did last year and the electronic system there is very easy to use and economical. I think having a state requirement for both eFiling AND service would be beneficial to the state district court system as well. Serving electronically really is just as important to us as eFiling with the court.

Thank you for your comments. One can view all the pleadings in a case at the courthouse using MPA Courthouse view. Hennepin County has document viewing stations set up in the Records Center on the B-Level in the Hennepin County Government Center. Currently, in Odyssey File & Serve (OFS), users are limited to viewing only the pleading their firm has filed.

Ramsey County has public viewing stations available within the courthouse on the 6th floor.