

E-Service and E-Notification in MiFILE

What is MiFILE?

MiFILE consists of four components working together to make e-filing possible.

1. MiFILE TrueFiling - how the filer submits documents to a court.
2. MiFILE OnBase - how the clerk of the court and other court staff process documents filed with the court, whether filed electronically or filed on paper and scanned into the system.
3. MiFILE DMS (OnBase) - the electronic document management system (EDMS) designed as part of MiFILE. Each court may choose to use the free MiFILE DMS or purchase their own EDMS.
4. Case Management System - each court has its own case management system (CMS).

Depending on a court's level of integration, information is shared between these four environments to improve data accuracy and overall efficiency.

Why are there Different Versions of e-Filing Systems in the Courts?

MiFILE is implemented in the Ottawa County Probate Court, Washtenaw Trial Court, and the 37th District Court (Warren). E-filing is also available in several pilot courts under Michigan Supreme Court Administrative Order 2019-4; however, these courts are not on MiFILE. Eventually, MiFILE will be implemented in the pilot courts, as well as every other court in Michigan.

How is e-Service and e-Notification Changing in MiFILE?

MiFILE 1.0, in use in Washtenaw Trial Court, Ottawa Probate Court, and 37th District Court, is being enhanced through MiFILE 2.0 to ensure that only persons with a legal interest in the case are recipients of e-service and e-notification and further enhancements will ensure that attorney staff have an effective and appropriate means for receiving e-notifications in MiFILE.

E-service and e-notification in the 3rd, 6th, 13th, 16th, and 20th Circuit Courts provides a means for anyone to become a case contact in a case so that they can receive electronic notifications and electronic service. This is not how MiFILE has been designed.

MiFILE 1.0; Verified Case Contacts and Standard Case Contacts

MiFILE 1.0 contains verified case contacts and standard case contacts. A case contact is someone associated with a case that can be selected for servicing when a user files to the case. A verified case contact is actively involved in the case and has had one of the following events occur: 1) they've made a filing to the case that has been accepted by the court; 2) they've been

added as a party in the CMS, which has pushed that information to MiFILE; or 3) they've been flagged as a verified case contact by a court clerk. Verified case contacts will automatically be selected for service.

Standard case contacts are not actively involved in the case but have made themselves a case contact. These contacts are displayed below the verified case contacts, are not pre-selected for service, and may be required to justify the reason for being added as a case contact. When users add themselves as a contact to a case, they are classified as a standard case contact until the clerk takes subsequent action on the request.

Attorney staff are not verified case contacts, but can be connected to an attorney in MiFILE through a feature that allows that connected user to file on behalf of the attorney and access the attorney's filing history. A connected user will also receive e-notifications of activity on a case made by or on behalf of the attorney they are connected to; however, the connected user will not receive e-notifications of activity made by other parties or attorneys on the case. The MiFILE Team is currently working on development of a feature that can provide a means for attorney staff to receive MiFILE e-notifications on all activity in a case regardless of who initiates that activity that will be released after MiFILE 2.0 has been released. In the meantime, attorney staff can receive e-notification of all activity through e-mail rules. See rules for two common e-mail services at [Microsoft Outlook](#) and [Gmail](#).

MiFILE 2.0; Service Recipients

With MiFILE 2.0, the list of users who are selected for e-notification and e-service is restricted to only parties, their attorneys, and other participants with a legal interest in the case and MiFILE will manage the information for use in e-notification and e-service. This enhancement is designed to ensure that MiFILE does not inadvertently allow an uncontrolled means for any registered user to become a service recipient simply by attaching themselves to a case. It provides for both filer and court involvement in identifying parties, attorneys, and other individuals with a legal interest in a case. These restrictions are especially important when case types for sensitive public cases, such as child protective proceedings, are added to MiFILE.

How e-Service Works in MiFILE 2.0

A party or attorney is added to the service recipient list for a given case when that case is filed. A party or attorney who was not named when the case was filed can add themselves to the case using the Add Party and Add Attorney feature. When the court accepts them as a party or attorney on the case, their name and e-mail address will be added to the service recipient list for that case. An attorney filing a new case on behalf of a party, or a party filing a new case on their own behalf, is activated for e-service automatically when the new case is accepted for filing by the court. Any other party or other attorney named on a new case will need to activate e-service by selecting their name from the service recipient list when filing into the case. See the [Quick Reference Guide](#) for instructions.

All service recipients on a case will be served with a filing if e-service is selected. Service recipients cannot be deselected by filers. When e-service is selected, MiFILE will display a draft proof of service in a pop-up dialog. This will allow the filer to confirm the appropriate service recipients were selected and allow the filer to view the proof of service generated by MiFILE. Filers are not listed as service recipients. If a filer wants a copy of what they are serving, they can add themselves to receive a courtesy copy.

When e-service is selected (with or without a filing), after service is accomplished, a proof of service is generated by the system and automatically filed with the court.

How MiFILE 2.0 Affects Attorney Filers

When MiFILE 2.0 is implemented, it will have an immediate impact on all registered users who e-file and were attached to cases in Washtenaw Trial Court, Ottawa Probate Court, and 37th District Court. It will also have a long-term impact on case participants (parties, attorneys, and others with a legal interest in the case) in those courts. In addition, MiFILE 2.0 will impact the Wayne County and Oakland County e-filing pilot courts.

E-Mail Address Registered with the State Bar of Michigan Will be Used in MiFILE

The transition to MiFILE 2.0 requires the service recipient list for each case in MiFILE to be populated one time from the party and attorney information maintained in the court's case management system; in some instances, the attorney e-mail addresses in the case management system will have originated from a file maintained by the State Bar. That means two things:

1) any case contact who is not a named attorney on a case will be removed as a case contact, and 2) any case contact who is a named attorney on a case will be designated as a service recipient on that case and their e-mail address registered with the State Bar will be the e-service address. Any attorney who does not have an e-mail address in the court's case management system will be designated as a service recipient, but will not receive service on that case until they reconnect themselves to their case.

Every attorney must follow the steps outlined in the [MiFILE 2.0 Release Notes](#) to ensure they will continue to receive e-notifications and e-service on each of their cases.

Another impact of MiFILE 2.0 is that attorney staff are not designated as service recipients, and they cannot use the State Court Administrative Office (SCAO)-approved form MC 507 ([Request for e-Service by MiFILE](#)) to become a service recipient. As mentioned earlier in this brief, attorney staff can receive e-notification of all activity on a given case by using e-mail rules. See rules for two common e-mail services at [Microsoft Outlook](#) and [Gmail](#).

Why is the e-Mail Address Registered with the State Bar of Michigan Being Used in MiFILE?

There are two reasons the e-mail address registered with the State Bar of Michigan is being used in MiFILE. First, as part of the transition from the case contacts feature to the party and service management feature and because of the original design of the system, the e-mail addresses maintained as case contacts cannot be preserved. The second reason is multi-faceted and is a first step toward a long-term redesign of MiFILE that will rely on the Michigan State Bar file to not only validate registered Michigan attorneys but that will reduce duplicate efforts and use of incongruent data between the courts' case management systems and MiFILE.

Many courts feed data from the Michigan State Bar file into their case management systems to validate that Michigan attorneys are licensed with the State Bar and to use the e-mail addresses registered with the State Bar for e-notifications to attorneys and other court-programmed functions. When MiFILE is implemented in courts, the data feed cannot be turned off because it would disable various court operations that rely on the data feed. In many instances, the data from the State Bar file is often in conflict with the data that attorneys enter into MiFILE for e-notification and e-service. Furthermore, because of the type of integration between a court and MiFILE, the feed from the State Bar will continually update the service recipient lists in MiFILE with any changes made in the State Bar file. In practical terms, this means that each attorney practicing in the Washtenaw and Wayne county e-filing courts can use only one e-mail address for all e-filed cases in which that attorney participates.

Because of the various integrations with MiFILE, it will be important that the design of MiFILE rely on one source of truth for attorney e-mail addresses and that a single e-mail address per attorney be used for MiFILE registration, e-notification, and e-service.

Based on results from a recent survey conducted of State Bar members, some attorneys indicated they do not want the e-mail address registered with the Michigan State Bar to be used in MiFILE. The SCAO desires to acknowledge those responses in future enhancements to MiFILE and has discussed such details with the Michigan State Bar, including how courts currently use the e-mail addresses in the State Bar file and how best to coordinate the needs of the courts with the needs of MiFILE, to avoid or reduce use of incongruent data and duplication of effort. These discussions will result in attorneys being able to register a professional/business e-mail address with the State Bar of Michigan that can be used by MiFILE and the courts.

What if I Don't Use the e-Mail Address I Registered with the State Bar of Michigan for E-filing?

An attorney can set up an e-mail rule to receive copies of e-notifications and e-service at an additional e-mail address. See rules for two common e-mail services at [Microsoft Outlook](#) and [Gmail](#). In the alternative, the attorney can change the e-mail address as indicated below.

What if my e-Mail Address Changes and I Need to Change it for Future e-Service and e-Notification?

If any of your contact information on the case changes after the transition to MiFILE 2.0, you are required to file the change with the court and serve the case participants with that information. The court will change your e-mail address for e-service and e-notification in MiFILE. In addition, you must change your e-mail address with the State Bar of Michigan.

What's Next?

The MiFILE Team depends upon input from courts, members of the State Bar of Michigan, and other stakeholders to help shape MiFILE design and prioritize development of new features and functionality. The MiFILE Team surveyed State Bar members in December, 2020 to provide input on MiFILE, including what e-mail address(es) should be used for e-service. This information will be considered in the next round of enhancements to the MiFILE e-notification and e-service functionality. In addition, a feature is being developed that can provide a means for attorney staff to receive MiFILE e-notifications on all activity in a case regardless who initiates that activity. Finally, the MiFILE Team will continue to seek feedback from State Bar members in designing enhancements.