

Order

Michigan Supreme Court
Lansing, Michigan

February 27, 2019

Bridget M. McCormack,
Chief Justice

ADM File No. 2002-37

David F. Viviano,
Chief Justice Pro Tem

Proposed Administrative
Order to Require E-Filing
Access Plans

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

AO No. 2019-XX — Trial Court Requirements for Providing Meaningful Access to the Court for Mandated Electronic Filers

To ensure that those individuals required to electronically file court documents have meaningful access to Michigan courts, the Michigan Supreme Court adopts this order requiring courts that seek permission to mandate that all litigants e-File to first submit an e-Filing Access Plan for approval by the State Court Administrative Office.

Each plan must conform to the model promulgated by the state court administrator and ensure access to at least one computer workstation per county. The plan shall be submitted to and approved by the State Court Administrative Office as a local administrative order under MCR 8.112. The State Court Administrative Office may revoke approval of an e-Filing Access Plan due to litigant grievances.

A copy of this order will be given to the Secretary of the State Bar and to the State Court Administrator so that they can make the notifications specified in MCR 1.201. Comments on the proposal may be sent to the Supreme Court Clerk in writing or electronically by May 1, 2019, at P.O. Box 30052, Lansing, MI 48909, or ADMcomment@courts.mi.gov. When filing a comment, please refer to ADM File No. 2002-37. Your comments and the comments of others will be posted under the chapter affected by this proposal at [Proposed & Recently Adopted Orders on Admin Matters page](#).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 27, 2019

Clerk

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State Court Administrative Office
Model Local Administrative Order XX – e-Filing Access Plan

[LOCAL COURT LETTERHEAD]

Administrative Order [year] – [number]

E-FILING ACCESS PLAN

This e-Filing access plan is intended to ensure meaningful access to court services for litigants who are unable to remotely file court documents electronically when a court seeks to mandate electronic filing for all filers. The purpose of this plan is to ensure that a court can show it will provide sufficient assistance to litigants. This plan is based on the premise that the majority of filers that need assistance with access to electronic filing are self-represented litigants. This plan does not address the needs of litigants deemed exempt from e-filing.

IT IS ORDERED:

Section I. Needs Assessment

A. Self-Represented Litigant Data

The court will provide self-represented litigants service and access to e-Filing computer workstations to electronically file documents in the court. The court has used the e-Filing Workstation Calculator available at [link] to estimate the number of workstations necessary to support the number of self-represented litigants who may come to the courthouse to file. The court's completed calculator is attached as Addendum 1.

B. Government Agencies

The court has identified that the following government agencies routinely file documents with the court: *[List government agencies such as law enforcement, Michigan Department of Health and Human Services, Michigan Department of Corrections, etc.]*. The court has consulted with each government agency listed above and established that it is capable of e-filing court documents. Additionally, the court has consulted with law enforcement agencies specifically regarding e-filing citations.

- The following law enforcement agency(ies) are exempt from e-filing citations *[Name the specific law enforcement agency(ies) that are exempt from e-filing. If no law enforcement agencies are exempt, delete this section.]*:

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Section II. e-Filing Assistance Resources

A. Access to Computer Workstations

No less than *[Insert number or workstations identified by calculator available at this [link]. If the calculator returns an estimate of zero computer workstations, the court must identify computer workstations that self-represented litigants may be referred to below and may delete this sentence.]* computer workstations will be available to litigants for the purposes of e-filing

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court documents. Where possible, computer workstations will be located in the courthouse. Computer workstations are available in the following locations. ***[List and describe all available computer workstations that self-represented litigants may use to electronically file court documents, including courthouse workstations specifically for that purpose, court clerk workstations that can be made available as necessary, self-help centers in the courthouse or county, and entities with which the court has a memorandum of understanding, such as libraries, universities, senior centers, community centers, etc. If entities with which the court has a memorandum of understanding are included, a copy of the executed memorandum of understanding must be attached. At least one computer workstation per county must be identified. Multi-county jurisdictions must have more than one computer workstation per jurisdiction. The court may include other resources not listed here.]***

- 1.
- 2.
- 3.
- 4.

Computer workstations will meet or exceed the capabilities of the configurations recommended on the MiFILE webpage available at <http://www.mifile.info/mifile-pricing/>.

B. Access to Assistance in e-Filing Documents

The court will assist individuals who need help electronically filing documents in the following ways.

- Assistance with using the court's electronic equipment such as computers, scanners, and printers includes: ***[List and describe the written materials, tutorial videos, clerk assistance, etc. that the court provides to assist litigants with using or troubleshooting the technology necessary to e-file.]***
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- Assistance for completing e-Filing tasks includes: ***[List and describe the written materials, tutorial videos, clerk assistance, etc. available to assist self-represented litigants in using the MiFILE program interface.]***
 - ImageSoft Inc. MiFILE Customer Care at 855-959-8868.
 - THIS IS A PLACEHOLDER FOR MiFILE TRAINING VIDEO LOCATION
 - Electronic mail address Support@TrueFiling.com
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Section III. Training

The court is committed to training its court staff to provide meaningful access to the court. When the court provides training, it will include a component on ensuring self-represented litigants have access to e-Filing resources. The court will work with the State Court Administrative Office (SCAO) and Michigan Judicial Institute to ensure that all employees are trained on e-Filing access policy and process.

Section IV. Public Notification and Evaluation of e-Filing Access Plan

A. e-Filing Access Plan Approval and Notification

This e-Filing Access Plan has been approved by the State Court Administrative Office. The court will post its e-Filing Access Plan on its public website (if available) or public notification area within the courthouse and will make copies of the plan available upon request.

B. Evaluation and Review of the e-Filing Access Plan

One year after the effective date of this local administrative order and every three years thereafter, the court will assess whether its e-Filing Access Plan needs to be updated. Review of the following areas may indicate a need to update the e-Filing Access Plan:

- Number of litigants requesting access to computer workstations
- Number of litigants requesting assistance using computer workstations
- Number of litigants requesting procedural assistance electronically filing documents in the court
- Changes in the entities with which the court has a Memorandum of Understanding for the purposes of e-Filing
- Changes in the Memorandum of Understanding for the entity with which the court has a relationship to assist with e-filing
- Feedback from litigants
- Feedback from court staff
- Changes to the e-Filing initiative statewide or locally
- Problems that have arisen since implementation of the above plan

C. Grievance Process

The court is committed to addressing grievances regarding access to electronic filing assistance promptly and thoroughly.

Specific issues regarding e-Filing access must be submitted to the chief judge, court administrator, and State Court Administrative Office by completing form SCAO XX. The court will respond in writing to your grievance using SCAO XXb within five business days.

Effective Date:

Date: _____

Chief Judge Signature: _____