

ELECTRONIC FILING AND THE COLORADO EXPERIENCE
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Colorado is one of 17 states currently using Electronic Filing

Source: ABA Legal Technology Resource Center
Electronic Filing Web Pages

Definition: Electronic filing or e-filing is a method of filing court documents in an electronic format as opposed to in the traditional paper format.

Currently all Colorado civil (trial), probate, domestic and water courts state wide are allowing e-filing.
Of these, 19 of them now mandate e-filing.

Samples of Orders mandating e-filing are attached from the Denver Probate Court, the 4th Judicial District, the 17th Judicial District, the 12th Judicial District, and the Division 3 Water Court.

How did it all start in Colorado?

The State Judicial Department contracted with LexisNexis to have them provide the CourtLink services in all of the civil courts. JD then met with all the judges and court staff people to ascertain their willingness to enter into and support this venture. While there were a few dissenters, by and large the level of support for this effort was very strong, which more or less guaranteed its eventual success. The lawyers were the last to be consulted (probably a good thing).

The official start in Colorado.

Adoption of **District Court Practice Standard Section 1-26** eff. 3/7/00 as amended 4/17/03

Full text of Standard is attached

Standard defines e-filing, electronic filing and electronic service.

Makes clear services are made available through the State Court Administrator's Office.

Only attorneys licensed to practice in Colorado can register to use it in the pilot stages.

Rules for initiating actions, serving summons and filing documents are spelled out.

Rules governing the retention of original documents that are e-filed are spelled out.

Using system constitutes compliance with Rule 11 attorney signature requirements.

Courts are authorized to transmit orders, notices and other court entries by e-file.

Court can charge \$20 per document for paper filings that should be e-filed.

Attorneys who e-file should not submit paper self-addressed stamped envelopes for the purpose of receiving a signed order back - it will be e-filed by the Court.

Provision is made for dealing with misfiled documents due to problems that might occur with the e-filing process.

The Denver Probate Court Experience

Denver first mandated e-filing effective as of July 1, 2003 by Order entered 5/30/03.

Copy of Order is attached

Court has issued a set of e-Filing **“Best Practices”**

Makes clear can still paper file, but will cost you \$20 per filing.

Explains how to be added to existing cases.

Covers general filing guidelines. Currently Demands for Notice and Trust Registration Statements can not be filed at this time.

How handle original Wills - scan and e-file, then file original

Multiple Codicils - how to handle

Letters Testamentary or of Administration - e-file request letter

Rejected documents - clerk will advise why in comment

How To E-File

Sign on to LexisNexis File & Serve - need User Name and Password

Search for and select Case

Select document for filing

Upload attached documents

Sample E-Filed Verified Statement

Timely filing - up until 11:59 p.m. on due date

What does it Cost?

See attached LexisNexis **Pricing Sheet**

Filing into a single case - \$4 per transaction

Service of parties on-line - \$5.50 per transaction

Service by US mail - \$.10 per page per firm (\$2.00 minimum)

Let LexisNexis do it for you - \$10.00 per transaction

Document access - no charge if filed by you

Access other documents to view, print or download - \$5 per document

Advantages of File & Serve for Courts

See attached **LexisNexis Electronic Solutions for Courts** and **6/1/03 Quick Guide**

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