

Fourth Judicial District E-Filing Q&A - August 2011 Law Firm Check-in Meeting

The Court appreciates the many questions, insights and comments provided by law firm representatives. Thank you for your attendance and continued support of e-filing.

[Visit http://www.mncourts.gov/district/4/?page=3953 for additional information.](http://www.mncourts.gov/district/4/?page=3953)

Date	Inquiry Venue	e-Filer Question	Court Response
8/25/2011	Law Firm Administrator User Group	When are we billed the \$3 service fee and the \$5 convenience fee? It is my understanding from speaking with someone at the meeting that we are charged \$3 per envelope when we do a service only (but no \$5 convenience fee). If we do a serve and file that requires a court filing fee, such as a motion with a filing fee of \$100, we would pay a \$5 convenience fee, but would we also pay the \$3 service fee? Is there a \$5 convenience fee if we do a file only (when no court filing fee is required)?	For example, whenever an e-filer is paying a statutory filing fee, such as a \$322 filing fee or a \$100 motion fee, you are charged a \$5 convenience fee for use of the payment card. If you are also e-serving this envelope, you would also be charged the \$3 service fee. If you are e-filing and serving an envelope that has no statutory fees owed, you would be charged the \$3 service fee but NOT the \$5 credit card convenience fee (vendor is absorbing the credit card convenience fee on e-service transactions). If you are only e-filing an envelope without statutory fees, there would be no charge to your credit card (although you do have to select a credit card to file.) There is a \$5 e-filing "use" fee that is assessed by our vendor for each filing envelope. That particular cost is currently being absorbed by the Judicial Branch, but efforts are being taken to pass this fee on to the filer in the future.
8/25/2011	Law Firm Administrator User Group	Fee Inquiry. Want a clearer understanding of what "fees" are going to be associated with filing documents utilizing the EFS system effective July 1, 2012.	No EFS fee changes are being contemplated at this time to the e-filing or e-service transaction fee structure. Please see response immediately above for an explanation of how these fees are currently being applied. The Court is committed to keeping e-filing transaction fees stable and cost-effective whenever possible, and understands the need to keep any potential cost increases to an absolute minimum.
8/25/2011	Law Firm Administrator User Group	I didn't get to ask today about the \$3 fee? I know it is a small amount, but our clients tend to scrutinize our costs. Is there any chance that this will go away? Will there be a fee increase when it becomes mandatory?	The E-Service fee is a vendor transaction fee which pays for related software use costs. The Court is actively reviewing how best to deliver services and control costs for filers. E-Service has immediate cost and time savings for e-filers which more than off-sets the \$3.00 transaction fee. For example, e-service eliminates the cost of paper, postage, labor to print and stuff envelopes, and time to handle undeliverable mail.
08/25/211	Law Firm Administrator User Group	I attempted to file a reply motion on a case on Tuesday (my first filing) Case no.(deleted). I knew that the other attorney is not listed as a recipient for service purposes but at least wanted to try to file a document electronically. Later, when I checked the filing status, my filing was rejected because "this case is not an E-Filed case." When I pulled up the case in preparation to E-File I didn't see anything telling me that I should not E-File on this case. What makes a case an "E-Filed" case or not? I emailed Tyler and I think Randy is looking in to this but as long as you are asking for questions, I thought I'd throw this one out there for you too.	It can be difficult to determine if a case is electronic. One way is to look at the case is MN Public Access and if the financial information at the bottom of the Register of Actions shows an E-File Electronic Payment, the case is electronic. Another way is to look for an Order to E-file. The last option is to call the court at 612-348-3164 and ask the Court. We hope in the near future to accept e-filings on paper cases and are currently considering this change.

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8/25/2011	Law Firm Administrator User Group	I would like to know why it is not possible for the system to send us an email notice on our cases when something is filed. The USDC and 8th Circuit send us notices when things have been filed. This is something that would be very helpful to us and as long as we have to sign up using our email addresses, this step should be able to be incorporated.	It is possible for the system to send an email. However, Hennepin and Ramsey District Court have made the decision not to send emails due to user feedback which suggests that these emails would lead to over-saturation, and prove to be too frequent and annoying. There is also the risk of emails being automatically delivered to "junk" mail folders or just being ignored by the recipient. A filer has the ability to send a courtesy copy of their filing to anyone they choose. Another option is to add yourself as a service contact to the case, so that anytime the filer chooses E-File and Serve, you would receive notification. OFS is not set up to send out any other notifications.
8/25/2011	Law Firm Administrator User Group	Envelope Title --Inquiry as to why it cannot state if service has/has not been accepted on the envelope?	This is a vendor application issue that the Court will communicate to them. Service acceptance information is in the Filing Queue, under the details tab. There could be over 10 service recipients on a filing so it is not something that could be displayed on the envelope.
9/8/2011	Follow-Up Email -- 08/25/2011 Law Firm Administrator User Group	How come we don't get an e-mail about our filing being rejected? I filed something and didn't know it got rejected until I checked two days later and found out that way that it was rejected (I can't remember why. I think I was filing an IFS and need to file the Answer first and forgot to file that). An e-mail would have been nice saying my filing was rejected and why so I could have filed it correctly.	The system is currently not set up to send either acceptance or rejection emails. The expectation is the filing party will monitor their filing queue to determine the status of their filing and to retrieve the file stamped copy if the filing was accepted. The Queue is also monitored by the vendor and the queue displays status updates on filing acceptance.
8/25/2011	Law Firm Administrator User Group	I know that there are a few judges whose scheduling orders specifically request paper courtesy copies mailed to chambers. Is that likely to change soon in the e-filing districts?	We expect that as judges become more comfortable with e-filing they may no longer require paper copies. However, individual judges may continue to require paper courtesy copies. Attorneys may also check with the Judge to determine preferences on courtesy copies. The Court is committed to a vision of a paperless or paper on demand judicial system. However, it is recognized that these are generational changes, are significant in nature, and will take time to be fully accepted by all parties.
8/25/2011	Law Firm Administrator User Group	Inquiry as to where to add service names. Currently there are unable to delete anyone that was added. Only Tyler can correct. Some larger firms have 2-3 administrators and there is not an ability to have multiple log-ons.	The Firm Administrator should have the ability to reconfigure users and attorneys to inactive in the event they leave the firm. If there is an Administrator without these abilities, please contact OFS support so they can address this individual situation.

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9/8/2011	Follow-Up Email -- 08/25/2011 Law Firm Administrator User Group	We have an associate who is leaving our firm and I am wondering what happens to future correspondence for the files he is on when I delete him as an attorney and user in our firm. I would assume that all files are referenced by your file numbers and law firm so nothing will follow him when he is entered as an attorney at his next firm. Just want to confirm that nothing will be missed after he leaves and that all future correspondence on his current files will be received by our firm.	The Firm Administrator can edit the attorney's contact information to send any correspondence to the associate or attorney who is taking over their cases. No OFS related cases will follow the associate/attorney when they go to a different firm.
8/25/2011	Law Firm Administrator User Group	If the Service counters and phones close to the public at 1:30p on Wednesdays, will there still be someone to accept/reject filings via e-file made in the afternoon and will there still be someone to assist if we call the help line for assistance?	Yes, staff are still available to process filings on Wednesday afternoons until our usual closing at 4:30 p.m. No, phones are not being answered during this time. If someone has an urgent question that cannot wait until Thursday morning, they can try Lynn (612.348.3647) or Sue (612.348.4328) as they will answer their phones on Wednesday afternoons.
8/25/2011	Law Firm Administrator User Group	Our office has some concerns regarding what specific "originally signed" documents we need to keep in the file if the document has been filed via e-file either scanned into PDF with a handwritten signature or scanned into PDF with s/signature. Aren't the e-filed documents considered "originals" when e-filed? I chatted briefly with Judge Blaeser regarding this issue and he indicated that the Summons & Complaint and Affidavit of Service, Answer and Affidavit of Service and perhaps a supporting motion Affidavit and the Affidavit of Service of the motion documents should be saved. He indicated something about a 90-day period???? Concerns here are that it has been indicated that should the case go to trial a Judge could potentially require that originally signed documents be produced. Is that a correct assumption? Please advise. I would love to save less paper in our files as well.	Per the Supreme Court order, the filing party needs to keep the original signed copy for an undetermined period of time. E-filed documents remain in the attorney filing queue for 90 days and are automatically removed by the system after this time period. e-Filed documents are considered originals when filed with the exception of e-signed documents with the //John Doe// signature block. Firms must keep the original documents bearing actual signatures, if in paper form. The e-filing system is workflow tool not a document storage system. Firms should retain electronic copies of the documents submitted in their own respective case management system. The Court understands and appreciates the fact that law firms also want to reduce paper documents in their case files and we will be reviewing this issue for future consideration.

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10/10/2011	WebEx Training	If the e-filed document contains a "/s/" signature, is the firm required to keep the signed original? If so, for how long? Can it be kept as an image of the signed original?	Per the Supreme Court Order filed 3/10/11, this is partially covered on pages 5-6 under 5. Signatures, e. Certification; Retention. It states: "A registered attorney or party electronically filing or serving a document using the E-Filing system shall maintain the original document bearing actual signatures, if in paper form, or electronic signatures if the original is in electronic form and shall make the original document available upon reasonable request of the District Court, the signatories, or other parties. " The order is silent about how long the record needs to be retained so the implication is forever unless there is some other statute or rule that governs how long parties must retain original records. In the paper world, these would have been with the court and governed by our Records Retention Schedule. This requirement will remain under consideration as the Court pursues a "mandatory" order and/or rule changes.
8/25/2011	Law Firm Administrator User Group	EFS system. If e-filed at 6 p.m. and the e-filing is rejected, there should be the ability to start over.	Vendor states this will be addressed with the new e-filing upgrade. Also, filers are instructed to e-File and Serve separately as there may be filing deadline issues.
8/25/2011	Law Firm Administrator User Group	Motion Filing Fees. Need to make system "less" easy to put in the incorrect fee.	The fees are reviewed by the reviewing clerk and if incorrectly selected by the filing party, fees should be corrected before the filing is accepted. The Court has the ability to reduce fees being charged but cannot increase the fees due to payment card authority restrictions. If insufficient fees are selected by the filing party, the Court has no choice but to reject the filing with e-notes explaining the fee problem.
8/25/2011	Law Firm Administrator User Group	Charges are not easily identifiable by the client. Summary is confusing and appear as if billing multiple times for same transaction.	In the filing queue, under the details tab, there is a total of all fees charged for the filing. This issue has been addressed and a summary of fees will be available in the next release.
8/25/2011	Law Firm Administrator User Group	Multiple Districts. Concern with codes for different districts. Need to have lines that clearly indicate which district a code is for.	Only the codes available for that particular judicial district will appear in the drop down boxes.
8/25/2011	Law Firm Administrator User Group	Drop down box for judges.	This is a system enhancement that we have shared with the vendor and is currently being considered.
8/25/2011	Law Firm Administrator User Group	Streamlining of process between paper and e-filed cases. In paper cases, attorney could ask the judge how the judge wanted to receive documents not required to be filed. Unclear how the process works with e-Filing.	There is no standard procedure at this time. You should ask the judge what s/he prefers.

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8/25/2011	Law Firm Administrator User Group	Billing Spreadsheet. Request for captivate training session on this topic. Request to include the process in training for billing reconciliation.	The billing spreadsheet is covered in Captivate session #3 in the self study online training link on the MN OFS homepage. Detailed training on billing reconciliation is not covered as this is more of a function of the firm's accounting department and may be done differently firm-by-firm.
8/25/2011	Law Firm Administrator User Group	Concern by agency/firm working with IFP clients. How is this to work. If e-served, can agency/firm seek reimbursement for transaction fees expensed?	Only if payment of service fees is part of an IFP order.
8/25/2011	Law Firm Administrator User Group	Request strong correlation to Federal electronic filing system.	We are working hard to deliver a portal to allow a compliant, efficient, and customer friendly interface. We are not affiliated with the Federal system, so there will be differences.
8/25/2011	Law Firm Administrator User Group	Training Issue -- need to address why a party should not be adding information as to any other party.	Thank you for letting us know we need to place more emphasis on this in the training we are providing. Only the respective party can register and add themselves to the service recipients on a case.
8/25/2011	Law Firm Administrator User Group	Pro Se Party Filing. When will this happen?	The Court is currently working on developing a Pro Se interface that will address the unique and complex filing issues associated with non-represented party filings. The Court understands the urgency associated with pro se e-filing access and is actively working on facilitating this access with State Court and the e-filing application vendor.
8/25/2011	Law Firm Administrator User Group	Registration Process. Need to market the need for parties to add themselves to the system and register.	Thank you for letting us know we need to place more emphasis on this in the training we are providing. As more people log on and register, there will be additional opportunities to utilize the e-service functionality. Please feel free to tell other firms to register.
9/8/2011	Follow-Up Email -- 08/25/2011 Law Firm Administrator User Group	How come we can only view the documents we filed with the court? Why can't we see all documents filed on a particular case with the court?	The system is not designed to be a case management system. It is a "work flow" portal to submit documents to the Court for filing and/or to serve other parties. A statewide e-Court MN committee is looking at expanding the Minnesota Public Access system to allow online viewing of public documents that have been filed. Because of a number of complex security issues that are involved, there is no target date for implementation.
9/8/2011	Follow-Up Email -- 08/25/2011 Law Firm Administrator User Group	When filing an IFS, how come we have to type in "Plaintiff's Informational Statement" in the blank? Shouldn't we just be able to type in the word "Plaintiff's" and then "IFS" should appear after that on the filing?	The Additional Filing Description is a required field so something must be typed in that box. You do NOT have to type "Plaintiff's Informational Statement". "Plaintiff's" would be sufficient.