

JUN 24 2013

FILED

STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8011

**ORDER AUTHORIZING E-FILING/E-SERVICE PILOT PROJECT FOR SELF
REPRESENTED PETITIONERS**

The eCourtMN Steering Committee has requested the authorization of a pilot project to test the feasibility of electronic filing and electronic service of documents for self-represented petitioners in Order for Protection (OFP) and Harassment Restraining Order (HRO) cases. The Court has reviewed the proposal and is advised in the premises.

IT IS HEREBY ORDERED THAT:

1. Select district courts designated by the State Court Administrator are hereby authorized to conduct a pilot project ("Pilot Project") pursuant to the attached Self Represented Petitioner OFP/HRO e-Filing and e-Service Pilot Project Provisions.
2. The Pilot Project is anticipated to be carried out in several phases at district courts of varying sizes and locations throughout the state.
3. The Pilot Project shall test the feasibility and impact of electronic filing of documents by self-represented petitioners, and electronic service of notices and court orders on self-represented petitioners, in OFP and HRO cases. The district courts involved in the Pilot Project shall report to the eCourtMN Steering Committee periodically as requested by that Committee. In addition, the district courts involved in the pilot project shall, 6 months from the date of this order, report to the Supreme Court

on the progress of implementing the pilot project, the impact of electronic filing and service in these cases, and recommendations for continuation, expansion, or other changes in the pilot project.


4. To the extent of any conflict between the terms of this order and its attached Pilot Project Provisions and the provisions of the General Rules of Practice for the District Courts, the Rules of Civil Procedure, and the Rules of Public Access to Records of the Judicial Branch, the terms of this order and its attached Pilot Project Provisions shall prevail.

5. This Order does not limit or amend existing Supreme Court Orders authorizing attorneys, law firms, and other parties to e-file and e-serve upon registering with the electronic filing service provider designated by the State Court Administrator.

6. The Pilot Project shall continue until further order of the Court, and the Pilot Project Provisions shall apply to all actions or proceedings pending or commenced on or after the effective date established by paragraph 4 of those provisions.

Dated: June 24, 2013

BY THE COURT:



Lorie S. Gildea
Chief Justice

**PILOT PROJECT PROVISIONS FOR
SELF REPRESENTED PETITIONER OFF/HRO E-FILING AND E-SERVICE**

1. Designated System. The district court's designated e-filing portal for self-represented petitioners ("Portal") will serve as a gateway to e-filing. The district court will use system to system integration to link the Portal, vendor systems including the E-Filing System designated for use by attorneys and government agency partners, and the district court's case management system. The system will guide self-represented petitioners via an online interview process in the preparation and electronic filing of ex parte petitions for an Order for Protection (OFF) or Harassment Restraining Order (HRO). To use the Portal, self-represented petitioners must register with the district court to create an individual secure, password-protected account known as a "MyCourtMN Account." Petitioners must also designate an e-mail address for receiving electronic notifications from the district court. District court staff will assist petitioners with the registration and interview process; all filings will occur from the courthouse and cannot be completed from a remote location. Notifications will be sent by the district court to the petitioner at the designated email address informing the petitioner that there is updated information in the MyCourtMN Account; the email will contain a link to the secure, MyCourtMN Account log-in page. Once the MyCourtMN Account is accessed, the Account will contain a link to the notice or order. Enhancements to the Portal may be added during the Pilot Project to include the ability to upload documents, the option to pay filing fees online, and other features, as approved by the State Court Administrator.

2. Who May Electronically File and Serve. During the Pilot Project, in district courts designated by the State Court Administrator in consultation with the District Court, self-represented petitioners who are seeking an ex parte OFF or HRO and who have registered for a MyCourtMN Account may e-file using the forms and capabilities available in the Pro Se Portal. A self-represented petitioner with a MyCourtMN Account may also opt to be e-served by the district court and by the Respondent if represented by an attorney, if and when available at the Portal and authorized by the State Court

Administrator. Once e-service has been authorized by the State Court Administrator, and a petitioner has opted to be e-served, the District Court and an attorney representing the Respondent may e-serve documents on the petitioner electronically. Self-represented Respondents in OFP and HRO matters are not authorized to e-file as part of this Pilot Project, and the district court and self-represented petitioners are not authorized to e-serve self-represented Respondents as part of this Pilot Project.

3. Registration and Designation of E-Mail Address for Service. A self-represented petitioner is registered for e-filing via the MyCourtMN Account when they have accepted the required user agreements with the district court and the integrated systems, and have provided a verified email address, selected a password, and provided their name. The user agreement with the district court will state that use of the MyCourtMN Account is limited to filings in which the account holder is a party to the case, and that the account may not be used to file on behalf of another person. Petitioners opting to accept e-service shall maintain a designated email address, shall diligently monitor the designated email address and the MyCourtMN Account, and provide notice to the district court of any change in the email address, until all applicable appeal periods have expired for the case.

4. Initial pilot. Starting July 1, 2013, or on a later date designated by the State Court Administrator, the 4th Judicial District Court will test the e-filing application for OFP and HRO case types by providing access to and assistance with the system at the district court's Domestic Abuse Service Center and Self Help Center. Self-represented petitioners will use computers to create a MyCourtMN Account, create the pleadings, and file them with the district court electronically. Messages will be sent by the district court to the petitioner's designated email address indicating there is important information or documents available in the password-protected MyCourtMN Account, which will be accessible over the internet. Petitioners will be able to view district court notices and orders sent to the MyCourtMN Account for a period of time established by the State Court Administrator. After this initial pilot testing, if successful, the system may be

provided for use at additional District Court locations, as authorized by the State Court Administrator.

5. Effect of Electronic Filing or Service. A document electronically filed or served under this order has the same legal effect as an original document filed or served in paper form.

6. Electronic signatures and notarization. For documents electronically filed with the district court under the terms of this Order, the signatures of the petitioner and the court administration staff performing the notarial act must comply with the electronic signature standard approved by the State Court Administrator.

7. Accessibility of data and documents. MyCourtMN Account creation information, including but not limited to the identities of petitioners who hold accounts and petitioners' usernames, passwords and designated email addresses, shall be inaccessible to the public, including the respondent in the case, unless otherwise ordered by the district court. Additionally, interview responses, draft documents, and any other data and documents that are created or housed in the MyCourtMN Accounts and the Portal are inaccessible to the public, including the respondent in the case, unless otherwise ordered by the district court, even if the data or documents are also part of a publicly accessible MNCIS case. Documents electronically filed by the petitioner, court notices and orders, and any documents e-served under this Order may be remotely accessible to the petitioner from the petitioner's secure MyCourtMN Account for a period of time established by the State Court Administrator.