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Hon. Randy R. Koschnick
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September 6, 2019

Chief Justice Patience D. Roggensack
Justice Ann Walsh Bradley
Justice Annette Kingsland Ziegler
Justice Rebecca G. Bradley
Justice Daniel Kelly
Justice Rebecca F. Dallett
Justice Brian K. Hagedorn
16 East State Capitol
P.O. Box 1688
Madison, WI 53701-1688

Re: eFiling Pilot Progress Report

Dear Chief Justice and Justices:

I write you today to provide an update on the progress of the electronic filing pilot (eFiling) for the Wisconsin Court of Appeals. Jean Bousquet and her staff have done most of the work to get the system in place so we can begin the pilot.

On April 15, 2019, the Wisconsin Supreme Court granted the petition for a pilot project and adoption of interim rules governing electronic filing in the Court of Appeals and Supreme Court. The order states the Clerk of Supreme Court/Court of Appeals shall provide written progress reports every six months, beginning in September of 2019, regarding the pilot progress, modifications to the interim rule and any other relevant matter.

After the rule petition was granted, the Clerk's office immediately began working with CCAP to define the business requirements and review the flow of paper filings between the clerk's office, staff attorneys, court of appeals judges and litigants. This first step was necessary to ensure the needs of all stakeholders were understood, and that the pilot project would properly address these needs. I personally worked with CCAP staff to ensure all necessary components were included in the Supreme Court/Court of Appeals (SCCA) application, the electronic briefs eFiling application and the proposed eFiling system. CCAP also worked directly with representatives from the staff attorney, judicial assistant and appellate judge groups to ensure their specific needs were incorporated into the overall eFiling project plan.

By May 15, 2019, CCAP had created a comprehensive project plan that identified three major programming initiatives that needed to be completed before the eFiling pilot could commence:

1. Updates to the SCCA application for clerk staff to process and route eFiled documents;
2. Significant enhancements to the current eFiling website, www.wicourts.gov/efile, to allow attorneys a single website for eFiling cases throughout the state court system; and,
3. Development of a Court of Appeals Dashboard to provide the Court of Appeals judges and staff attorneys with easy access to their cases and documents as well as the ability to electronically mark-up documents.

In relation to the Court of Appeals Dashboard, the first release will provide the Court of Appeals with a list of their pending cases categorized by their responsibility for the cases.

1. 'Chambers assignment' means the judge is responsible for the opinion;
2. 'Supervising' means the judge is supervising a staff attorney writing the opinion;
3. 'Other chambers' means the judge is on the 3-judge panel but one of the other judges is writing the opinion; and,
4. 'Screening' are the cases not yet assigned to a panel.

The dashboard also includes the ability to search for cases by party name or case number. Each case lists the judges on the panel and staff attorney who are involved. Judges can choose to view briefs, the record, or all documents. All eFiled briefs will be color coded and when any document is accessed, judges can annotate and highlight the document.

Work has already begun on enhancements to the dashboard which will include a routing and work queue for eFiled motions. This feature will allow the Clerk's office to route the motion and any motion responses to the staff attorney. The staff attorney will review the motion and if granted can upload the order. The judicial assistant can then do a 'conflict check' on the motion and the judge can review the motion in the dashboard. Once the judge reviews, the staff attorney will send the order to the Clerk's office for review and the Clerk's office will accept the order which will then be filed on the case.

At this time CCAP has completed all of the development work necessary for the pilot to begin. The software is in final testing stages and CCAP expects to release these updates the week of September 23rd. Once released, the www.wicourt.gov/efile website will be used by attorneys for eFiling with the circuit courts, eFiling briefs with the Court of Appeals, and participating in the eFiling pilot with the Court of Appeals.

Progress has also been made in the Clerk's office on identifying participants in the eFiling pilot and to establish an eFiling Committee. The pilot will include both criminal and civil cases and filers from the private bar, Department of Justice and the Office of the Public Defenders. We plan to pilot only cases that are initiated through eFiling, and the case will be handled electronically by all involved. Printers and scanners are being implemented to handle any paper exceptions necessary and to provide the judiciary with the ability for paper-on-demand.

The eFiling committee will be charged with reviewing interim rules and identifying any rules, processes and procedure changes necessary to adopt mandatory eFiling in the Court of Appeals and Supreme Court. They will also provide guidance and recommendations for how the eFile system will work as we continue to enhance functionality. The first committee meeting will take place in October and the members include:

Chief Justice Patience Roggensack
Court of Appeals Judges Brian Blanchard and Lisa Stark
Supreme Court Commissioners Nancy Kopp and Julie Rich
Clerk of Supreme Court/Court of Appeals Sheila Reiff
Chief Staff Attorney Jenny Andrews
Department of Justice, Assistant Attorney General Winn Collins
State Public Defender, Deputy Trial Div. Director, Katie York
WisBar Appellate Attorney, Eric G. Pearson, Foley
WisBar Appellate Attorney, James Goldschmidt, Quarles & Brady
CCAP – Jean Bousquet
Court Operations Legal Advisor Katherine Carpenter

I anticipate the pilot will begin in October for both a criminal and civil case. Additional cases will be added as we closely monitor the filings. This will ensure we are confident the system provides efficient and reliable processing, and our business processes are fully vetted to migrate to rely only on an electronic record.

I thank Jean and her staff for all their hard work that has us ready to proceed with the pilot.

Sincerely,



Sheila T. Reiff
Clerk of the Supreme Court and
Court of Appeals