

The background features a dark blue field with a series of curved, glowing lines that create a sense of depth and movement. On the right side, there is a grid-like pattern of light blue lines that recedes into the distance, suggesting a digital or technological environment.

Re:SearchTX Recommendations

JUDICIAL COMMITTEE ON INFORMATION TECHNOLOGY

General Recommendation 1

Access should be provided to Registered Users starting with basic civil filings and increasing accessibility based on further recommendations and research.

Access to criminal documents is not addressed in these initial recommendations pending further review. The criminal e-filing mandate is not complete, there is not uniform filing of initiating documents and there are sensitive data issues that are unique to the criminal field that must be addressed. The subcommittees anticipate that criminal issues will be reviewed and addressed shortly.

General Recommendation 2

Access to electronic records should be rolled out in stages. The subcommittee recommends that access be provided to Clerks, Judges, Attorneys On The Case, Parties On The Case and Registered Users in accordance with the roles and permissions discussed below.

The subcommittee does not recommend access to data aggregators at this time.

Specific Recommendations

Recommendation 1 - Define four roles for Re:SearchTX

Role 1 – Judges and Designated Court Staff

Judge means any sitting judge on the Supreme Court, Court of Criminal Appeals, intermediate Court of Appeals, District Courts, County Courts, Associate Judges and Designated Court Staff. Judges can designate their court staff to have this level of access. Justice Court judges and municipal court judges are not currently included in these recommendations.

Role 2 – Attorney On The Case, Party On The Case, Visiting Judges

An Attorney on the Case is an attorney listed in the case index information or who has entered an appearance in the case. A Party On The Case is a person named as a party in the case. Visiting Judge means visiting or assigned judges that are in a temporary judging capacity.

Recommendation 1 - Define four roles for Re:SearchTX

Role 3 – Clerks

Clerks will continue to be the custodian of the official record. Clerks include district and county clerks and deputy clerks and staff necessary for the performance of the clerk's duties.

Role 4 – Registered Users

Any person registering for access to the system that is not in Role 1 (Judge), Role 2 (Attorney On The Case, Party On The Case, Visiting Judge), or Role 3 (Clerk) will be referred to as Registered User.

Recommendation 2 – Initially adopt the following permissions statewide for Re:SearchTX

Permissions – Judges

Judges can access case index information and all electronically filed documents.

Permissions – Attorney On The Case, Party On The Case, Visiting Judges

Attorneys On The Case, Parties On The Case, and Visiting Judges can access case index information and all electronically filed documents for any case in which they are listed in court records as attorney of record or a party to the case or visiting judge. The committee notes there may be some security issues regarding authentication for parties and recommend confirming authentication security before implementing access to parties.

Permissions – Clerks

For purposes of Re:SearchTX Clerks have the same permission level as Judges for cases filed in their district or county. Clerks may access case index information and all electronically filed documents for any case in their jurisdiction. Additionally, Clerks will have access to reports and other system features that will allow them to configure systems and to provide additional information about their local courts.

Recommendation 2 – Initially adopt the following permissions statewide for Re:SearchTX

Permissions – Registered Users

Initially, Registered Users will have the permissions outlined in the matrix below. The permissions are based on the case category/case type in the eFiling system. These are the initial recommendations only. Following additional study it is anticipated that access to additional categories of documents will be provided. Currently, family law material is complicated by statutes that require the inclusion of sensitive data that cannot be redacted and therefore access to such documents is limited. Likewise, guardianship documents have sensitive data that often must be included. JCIT subcommittees will continue to study family law and other areas to determine statutory and rule changes that must be addressed before electronic access may be granted.

Registered User Matrix Legend

Index Info – an X indicates that for this case type, case index information is shown. “Restyle” indicates that the case style should be changed to “<CaseNumber> - <Party> vs. <Party>” for the document access system.

Docs Show – an X indicates that for this case type, documents are shown

Delay – indicates the number of days that the case information and documents are delayed from showing to registered users of the system.

Remove after Disposition – an X indicates that the case index information and documents are removed once the case has been disposed.

Flipping Over to the Matrix

Recommendation 3 –

For expunctions or removal of records pursuant to court order, Attorneys will send notice to the OCA.

For the courts that have a two-way integration with the eFiling system, expunctions, non-disclosures and other removals of records are completed when the clerk secures the document in their case management systems.

Recommendation 4 –
Implement safeguards to protect Re:SearchTX from data miners. Work with Tyler for the most up-to-date safeguards against cyber-attacks.

The subcommittee recommends adding two-factor authentication and device registration upon initial login (much like banks do today). This would confirm that the registration information given by the person at registration is legitimate.

Additionally, implementation of random human checks such as technology that asks the user to identify chosen pictures may be advisable.

Recommendation 5 –
Continue free access to Re:SearchTX for Clerks,
Judges and Designated Court Staff , Attorneys On
The Case, Visiting Judges, attorneys employed by
Legal Aid programs that are funded through
grants given by the Supreme Court, and Parties
On The Case.

The users above would not be charged any fees normally charged
Registered Users for access to electronic records.

Recommendation 6 –
Implement a PACER like fee for documents,
\$0.10/page up to \$6 maximum per document for
downloading a document by Registered Users.

The per document fee would be charged per document and would be
remitted to the county from which the document originated.

The fee issue will continue to be studied as more information is
obtained regarding costs and services to be provided.