



## Talking Points regarding new Texas eFiling System

*More robust, less expensive, efficient, convenient and "green"*

- Electronic Filing (eFiling) in Texas started in 2003
- eFiling is available in:
  - 28 JP Courts in 12 counties
  - 51 counties in district and county courts (**covering over 80% of population**)
  - 9 of 14 Courts of Appeal (5 mandatory, 4 permissive)
  - Supreme Court of Texas (mandatory for attorneys)
- Currently approximately 45,000 eFiling transactions monthly
- Contract has existed between Department of Information Resources and NICUSA
  - Contract not controlled by Judiciary
  - Expired on 8/31/12
  - Extension of contract for 18 months
  - Problems with infrastructure and expansion of filings
- OCA released request for offers in April 2012
  - 8 bids
  - Reviewed by ranked by judges, clerks, court technology staff and national eFiling experts
- **OCA selected Tyler Technologies' File and Serve system on November 8, 2012 to provide statewide eFiling services**
- **Contract is now within the Judiciary**
  - 5 year contract, with up to 4 one-year extensions
- **eFiling fees are reduced by up to 48% immediately**, with potential further reductions with volume increases
  - Current: \$13.50-\$31.50 per document
  - New: \$7-\$27 per transaction (may include multiple documents)
- Provides **new direct connect electronic filing service provider (EFSP)** option at \$1 per transaction
  - Cheapest current alternative is \$3 per document
  - Filers still can choose their EFSP
- Provides **FREE service** for:
  - Government filers not otherwise required to pay statutory filing fees;
  - Indigent filers; and
  - Anyone using service at a clerk's office.
- **National standards based** – ECF 4.0 – allowing for connection to any case management system
- Penalties available for downtime
- **New document search and retrieval portal** to be constructed
  - Will eventually allow search of cases and documents statewide
  - Will connect to existing case and document search engines (upon agreement with clerk/court)
  - Will provide means for new case and document storage where one does not exist (upon agreement with clerk/court)

# EFILEING FOR COURTS

OFFICE OF COURT ADMINISTRATION

## BACKGROUND INFORMATION

The eFiling program was started in 2003 and now covers 51 counties (more than 80% of the State's population) and processes about 45,000 eFilings monthly.

eFiling **streamlines court operations** by eliminating paper shuffling as well as reducing physical storage costs. eFiling improves attorney efficiency and is

mandatory in Federal Court. eFiling is **mandatory** for civil filings in the Supreme Court, several appellate courts and a few district courts.

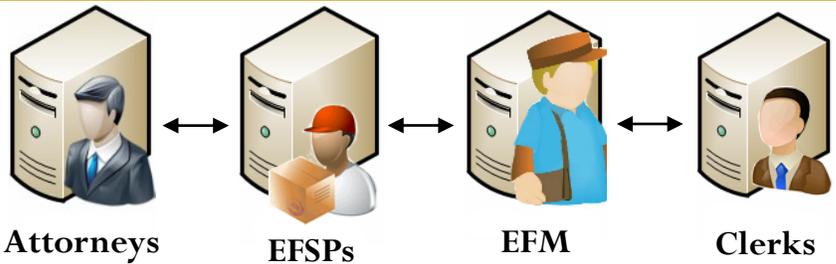
In 2012, OCA signed an agreement with Tyler Technologies to provide a new electronic filing manager. This **reduces the**

**EFM fee** from \$10.50/document to \$6.00/transaction, thereby **reducing the overall cost of eFiling**. With the new system, a transaction could contain multiple filings for a single case.

This also provides **another electronic service provider choice** at \$1 per transaction.



## THE TEXAS EFILING MODEL AND COSTS



(Current)	\$13.50-\$31.50	=	\$3-\$16	+	\$10.50	+	\$0-\$5
(Summer 2013)	\$7-\$27	=	\$1-\$16	+	\$6	+	\$0-\$5

**Reduces the retail cost of eFiling by up to 48%.**

The Texas eFiling model is built upon national eFiling standards.

Filers choose an electronic filing service provider (EFSP) with differing levels of costs and service.

Documents are sent to the electronic filing manager

(EFM) and then to the respective clerk's office. The EFM fee includes eService at no additional charge.

The clerk can choose to integrate and have the eFiled document flow automatically to their case management system. Clerks

are currently allowed to charge a small fee to recoup integration costs.

This model provides choice by allowing the filer choose their EFSP and gives clerk's local control over their choice of case management systems.

# EFILEING FOR COURTS

## OFFICE OF COURT ADMINISTRATION

### LEGISLATIVE NEEDS

The new eFiling system, Without legislation could continue to hamper TexFile, will be available for modifying the existing the use of this effective use beginning in Summer structure, implementation technology. 2013, with a full and ongoing operation implementation expected by costs will be placed Fall 2013. directly on litigants and

### POTENTIAL FUNDING MECHANISMS

#### **“Toll Road” Model (Current Model)**

Each eFiling document is charged an additional fee (in additional to the court cost) to recover the cost of the eFiling service. Current overall cost is between \$13.50-\$31.50 per document and will be reduced to \$7-\$27 per transaction with the new EFM.

*PRO:* No direct cost to the state. Cost is recovered through usage.

*CON:* Adoption deterred by extra cost to the filer (beyond cost of filing paper).

*CON:* Vendor assumes a large amount of risk to recover costs at some point in the future, raising the cost of eFiling.

---

#### **Statutory Court Technology Fee (per case)**

Each civil, criminal and family case filed is charged a small (\$5-\$15) court technology fee. This fee could be appropriated to OCA to support technology projects for the Judicial Branch, including the eFiling project.

*PRO:* Significantly reduces cost of eFiling in current system

*PRO:* Increases the adoption rate by equalizing the cost of eFiling vs. paper cost.

*PRO:* Allows Legislature to set fee and direct appropriation of revenue.

*PRO:* No direct cost to the state. Cost is paid by those using the judicial system.

*CON:* Restructures a fee to an already complex court fee matrix.

---

#### **Direct Appropriation**

The Legislature could provide OCA with an appropriation to pay for the implementation and ongoing operations of the selected vendor’s eFiling system.

*PRO:* No additional cost to parties to eFile.

*PRO:* Increases the adoption rate by equalizing the cost of eFiling vs. paper.

*PRO:* Does not add to an already complex court fee matrix.

*CON:* Requires an ongoing biennial appropriation from General Revenue.



FOR IMMEDIATE RELEASE:

**Texas Judiciary Selects New System to Streamline and Reduce Cost of eFiling**  
*More robust, less expensive, convenient and “green” filing of legal documents*

**Austin – November 9, 2012** – The Office of Court Administration announced Friday the selection of Tyler Technologies’ Odyssey File and Serve system as the unified, statewide electronic court filing (eFiling) portal for Texas’ courts. The new platform will reduce costs for filers and provide for expanded eFiling in Texas. TexFile, the new official eFiling service for Texas, will allow attorneys and litigants to initiate new cases and file subsequent pleadings and documents to a court via a web portal. Upon acceptance by the court, the documents can be automatically transmitted to the court’s case management system. TexFile also allows electronic service to other parties at no additional charge. Altogether, TexFile will provide the ability to conduct most of the business in the Texas courts in a paperless environment.

“Our goal in this process was to find a technology solution that would meet the needs of judges, clerks, court staff, attorneys and litigants in a secure, reliable, easy-to-use and cost-effective manner,” said Wallace B. Jefferson, Chief Justice of the Texas Supreme Court. “TexFile meets those needs while reducing the cost of eFiling and eService by up to 48 percent.”

Judges, court clerks and staff will see their workloads streamlined, while attorneys and litigants will benefit from the system’s lower fees and increased functionality. District and county clerks in more than 50 counties, covering more than 80 percent of the state’s population, currently allow eFiling. Nine of the 14 appellate courts in Texas allow eFiling, while eFiling is mandatory for attorneys filing documents in the Supreme Court of Texas. Those courts will be transitioned from the existing platform over the next 15 months. Users should see little interruption in the way they interact with the eFiling system as the transition occurs.

“The OCA is continuously looking for ways to improve the administration of justice in the Texas courts,” said David Slayton, Administrative Director of the Office of Court Administration. “We are confident that the new eFiling solution will allow the courts, clerks, attorneys and litigants to reduce the costs associated with handling and transmitting paper documents. We are glad to be able to use technology solutions to provide potential savings to taxpayers in lower storage cost and other related processing costs.”

Dallas-based Tyler Technologies is the selected provider of eFiling services, using the same platform as TexFile, in Las Vegas, Detroit, and in statewide deployments in Minnesota, Oregon, Maryland, North Dakota, South Dakota and New Mexico. The platform is designed for high-volume operations to support millions of filings annually. The new contract delivers an over 40 percent reduction in the Electronic Filing Manager fees charged by the current system and additional reductions as volume increases. Electronic filings in Texas are anticipated to grow from just over half a million filings to several million filings per year over the next several years.

Tyler's solution was selected as part of a competitive bidding process. The Texas Judicial Committee on Information Technology, chaired by Fourth Court of Appeals Justice Rebecca Simmons, played an instrumental role for the past 18 months in finding a new eFiling vendor.

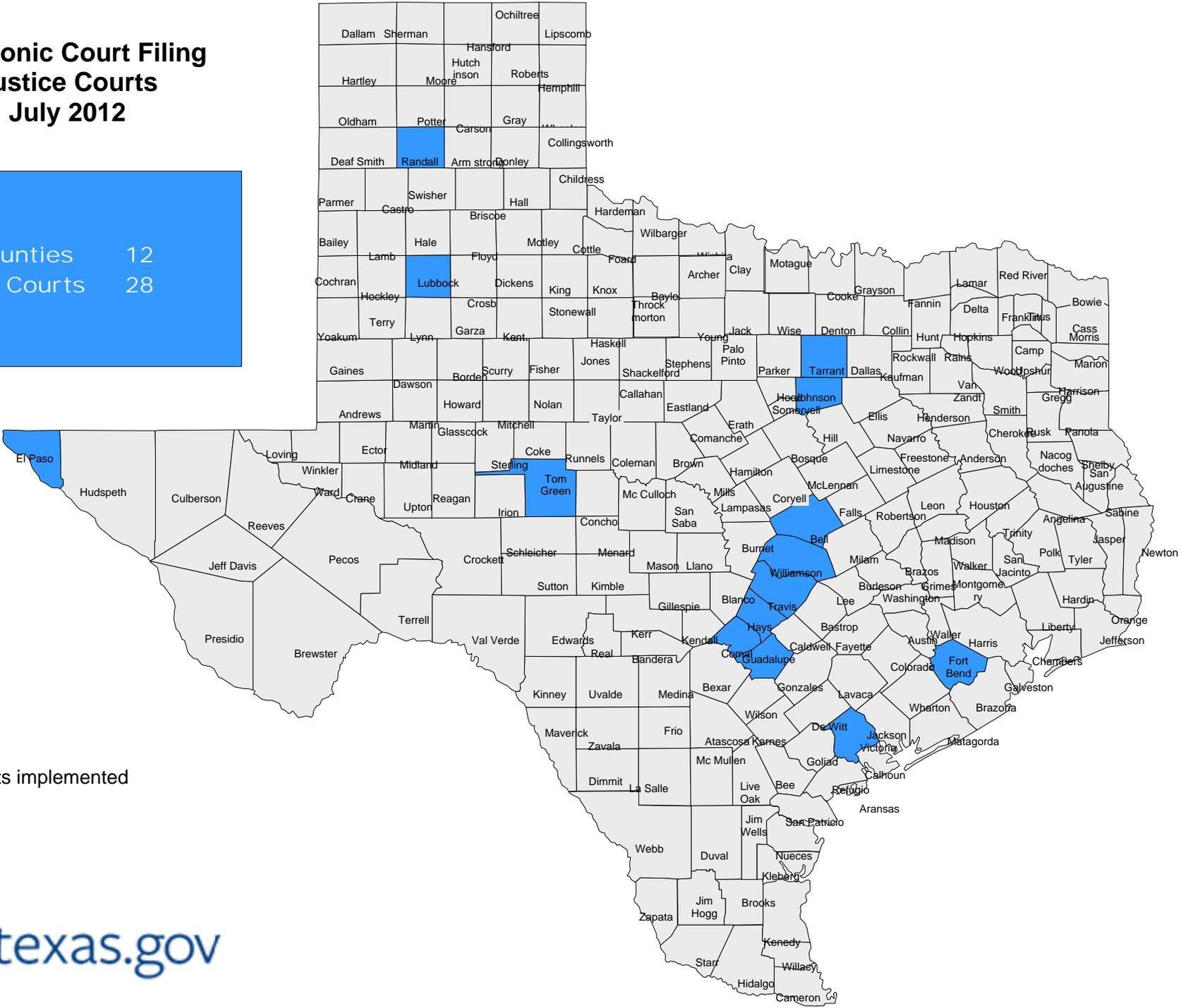
The Office of Court Administration is a state agency in the Judicial Branch that operates under the direction and supervision of the Supreme Court. It provides resources and information for the efficient administration of the Judicial Branch of Texas. More information on the office is available at [www.txcourts.gov/OCA](http://www.txcourts.gov/OCA).

-###-

Contact: David Slayton  
Administrative Director  
Office of Court Administration  
512-463-1625  
[David.slayton@txcourts.gov](mailto:David.slayton@txcourts.gov)

# Electronic Court Filing Justice Courts July 2012

Counties 12  
JP Courts 28



 JP Courts implemented







# Electronic Court Filing Supreme Court November 2012

Supreme Court  
Counties 1  
254

