

Clerk hopes paperless lawsuits will save money



Written by

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After he finishes writing legal documents, Oakley attorney Josh Goode doesn't take it to the courthouse any more.

Instead, the 28-year-old lawyer does what Hamilton County judges are considering making all those filing civil suits do - file electronically, eliminating the need for millions of pieces of paper.

"It makes it very convenient for the attorneys," Goode said. "It saves time. I use it at least once a week, maybe more. It's a great service."

With an eye toward improving efficiency, saving space and millions of dollars over time, the judges and the Clerk of Courts is considering requiring all civil suits - more than 11,000 last year - to be filed electronically. Eventually, criminal cases will be filed that way too.

"The more that is done electronically, the less paperwork we'll have," Clerk of Courts

Patty Clancy said.

"As we move further and further into the electronic world, this will be a service that is expected."

The move is expected to save attorneys the cost of paper, free up clerks office personnel for other tasks and save the government money.

Typically, civil suits - alleging noncriminal actions such as disputes over boundary lines, car crashes, breach of contract - are printed on paper, taken to the courthouse and handed to a clerk of courts employee behind a counter. The paper suit is stamped as received, sent to a room where it is scanned so it can be electronically filed in the clerk's computer system and online. Then, the hard copy is filed on shelves in the clerk's office.

Under the e-filing service, the lawyer essentially emails the electronic version to the clerk's website. The website automatically bills the attorney, files the

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case which is available almost immediately.

Clancy estimates such a switch will save 1.2 million pieces of paper each year.

"It will make the court more efficient and hopefully free up all those poor people who have to sit over there and scan all day," Common Pleas Court Judge Robert Winkler said.

Winkler said the current procedure slows down the court system.

He was recently in trial when one side asked if he had a motion they'd recently filed with the clerk's office. Because the clerk's office is about two weeks behind in scanning suits, Winkler didn't have the motion. He had to have a hard copy created so he could read it.

"I have more than 500 cases pending, so unless I get copies (of filings) in my courtroom, I don't know that it's been filed," Winkler said of the current system.

Under the e-filing system, the documents are available to read online almost immediately after being filed and checked by clerk's workers.

Clancy, who has seen her budget cut from \$12 million in 2009 to \$10.6 million this year, has cut her payroll by 20 percent, costing 54 employees their jobs. She's looking for any efficiency.

Clancy's office, which trains law firms and attorneys how to e-file, isn't sure how much it will save, but she expects it to be big

bucks over time.

The idea isn't new. Many federal courts already use such a system and state courts are starting to shift over. Hamilton County is the first in Greater Cincinnati to try it.

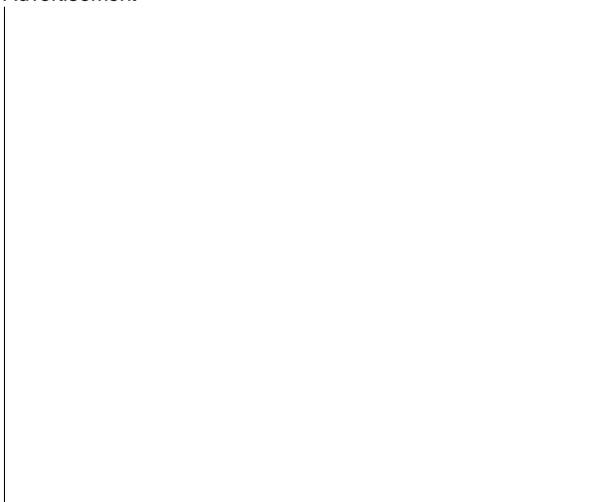
Greg Brush, the Montgomery County Clerk of Courts, was the first clerk's office in Ohio to go paperless - or almost paperless - in Common Pleas. Beginning Jan. 1, 2010, his office made e-filing civil suits mandatory.

"It's cut down our processing time by a week per case," Brush said. "That physical moving of paper is gone."

Brush calls his system "paper on demand" because some still can file using paper. They include people who file suits without hiring lawyers, those without the equipment to file electronically and technologically challenged attorneys. In those cases, the clerk's office scans the suits into its system.

The Montgomery system also automatically sends out notices - new court dates, new

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filings in the case - to those involved.

Brush's office teamed with the court to launch the project in 2006 at a cost, over five years of \$1.8 million.

"We have put in \$500,000 in this project over a four-year period and the court put in \$500,000," Brush said, noting the rest came from e-filing fees paid by those who filed the civil suits.

"I got all my money back in one year," Brush said. "Now, it runs itself and pays for itself."

He charges \$35 per case.

The fee in Clancy's office for filing depends on the number of pages in the suit, ranging from \$2 to \$41 per case. That money goes into a restricted fund used to pay for the computerization upgrades of the office.

If Hamilton County wants to follow Montgomery County and make e-filing mandatory, it will take two to three years, Winkler said.

"I don't want to say we're in the 19th century but we definitely are in the 20th century with the way we do things," Winkler said.

How It Works

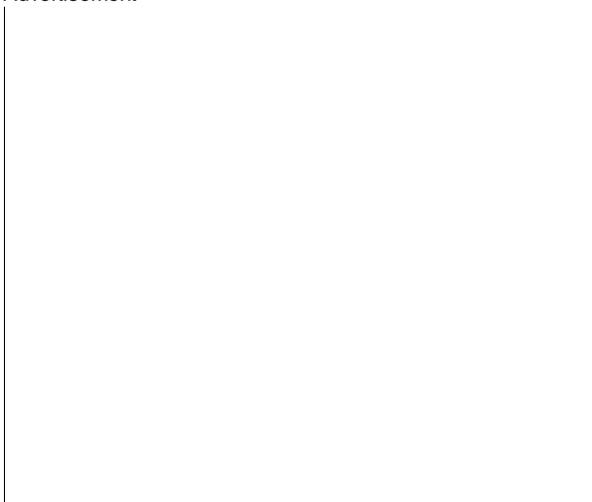
Last year, of the 11,679 civil cases filed in Hamilton County, about 2,100 were e-filed. To file a case electronically, attorneys:

- Create the document;
- Convert it to a pdf (portable document format) file;

- Log on to clerkcourt.org;
- Using the clerk-assigned log-in and password, file the case;
- Are billed automatically.

Source: Hamilton County Clerk of Courts

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