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We have discussed over the course of this series the concept that CCMS will do integration of the case indexing and processing function with that of case file and document management. In manual and early-generation automated court case management systems, it was enough to simply record the fact that a document was received. Later, document management systems were developed, they were often implemented as applications separate from the case management, as they were viewed as a separate court operation serving the courtroom and chambers. But we believe that we now have to accept the fact that we need all court information will be universally managed by the CCMS.

Picture : CCMS 10

E-filing is the manner in which courts will increasingly receive documents that will trigger CCMS management and workflow. Thus, there are two aspects of E-filing that are an important part of future CCMS applications. First, E-filing must facilitate the data entry/acceptance of the filing into the CCMS. And second, the E-filed documents must be "smart" in order to support CCMS case information and decision support requirements.

Let's start with the E-filing system's ability to self-docket/register. Since the beginning of E-filing, user interfaces have generally required them to identify the case number, filer, document type, and other information in order to be accepted by the clerk's office. This "Question and Answer" approach was pioneered by the US Federal Courts starting in their original pilot in the Northern District of Ohio. And, after a short time, they made the decision to essentially turn over the docket/registry data entry to the E-filer. This is shocking to most state courts that would never imagine that attorneys would or could do the data entry correctly.

Another less common approach is to embed the required docketing/registry data within the document itself. This is one of several reasons for developing the Legal XML ECF and NIEM XML data dictionaries. Obviously, if the document contains the data that can be read by the CCMS for the docket/registry, there is no reason to require the filer or clerk tore-enter it. While this approach has been used successfully as far back as 1998, it was difficult to maintain this approach at that time as the word processing document file formats often changed. But with international standard ODF-XML and PDF formats, that problem is nearly eliminated today.
Also, don't forget to identify the forms in the document properties and meta-data as we wrote about in CCMS Part 10: Documents and here and here. Form identification meta-data will be very helpful in validating where the document should be placed in the CCMS case categories and workflow. And, if there are problems, it will allow the system to direct the document to the proper court staff for review and remediation.

Now you may have already noted that in the past few paragraphs we have already delved into the

"smart document" idea. E-filing documents must be submitted in a computer readable format so that they can be searched and used for document editing. But more important for the CCMS, the documents become an integral part of the system's data set. Modern databases can use the XML tagged data for document indexing, search and retrieval. If the E-filed documents are in XML format, or have embedded XML data extracted to supplement the document description, they can be used for all manner of query and reporting. This in turn helps to eliminate the need for programmers to continually add data fields to the CCMS to capture and count things for management and policy reasons. How many times have you been asked how many of X types of things did you receive in a particular period and were not able to respond other than to manually search the case file? With smart documents you can use the database query tools that can go beyond simple text search to find the answer.

The smart documents are also much more useful to support judicial decision-making. We Have written about seeing case file "sticky notes" that are used for quick access to specific sections of documents in the physical case file. We can do much, much more!

Smart documents can be easily organized electronically and reorganized as the case situation changes. They can be full-text searched and, even as was done in one early system, blocks of text can be identified and "called out" (see below) to focus the judges attention for decisions that need to be made. The "call-outs" can represent the key points ,law, or evidence in the case that in turn can be selected and the full document text then assembled, displayed and edited into a finished product. Now how automated this process can become will certainly depend upon the type of dispute and the resources(both automated and human) available. But it is possible and should be considered as part of new CCMS design.

"The OASIS LegalDocML TC works to advance worldwide best practices for the use ofXML within a Parliaments', Assembly's or Congress' document management processes, within courts' and tribunals' judgment management systems, and generally in legal documents including contracts."

For our visual learning friends, the "call-outs' ' we are suggesting something similar to the pictures in this blog post showing various graphics that have been prepared as part of trial evidence.

Example number 3 is the view that may be the most useful in the judicial setting.

Finally, please note that the document decision support ideas shared here may be many years in the future for a fully automated system. But in the past such a system that was developed in the early 90's that while not particularly automated, provided a focused presentation approach for the judge that increased their productivity by saving hours of work each day.