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HOUSE JOINT RESOLUTION NO. 59

Offered January 12, 2022

Prefiled January 11, 2022

Requesting the Office of the Executive Secretary of the Supreme Court of Virginia to study the feasibility of establishing a uniform electronic filing system for all state circuit, general district, and juvenile and domestic relations courts and provide a plan for the establishment of such system. Report.

Patron—Wampler

Referred to Committee on Rules

WHEREAS, a uniform electronic filing system has been established for the Supreme Court of Virginia and the Court of Appeals for Virginia, known as the Virginia Appellate Courts Electronic System (VACES); and

WHEREAS, attorneys, firms, and pro se litigants can submit electronic pleadings, and custodians of records can submit such records through VACES in all cases before the appellate courts; and

WHEREAS, the established Virginia Judicial E-Filing System (VJEFS) allows for electronic filing for most civil cases in 51 participating circuit courts but is not available for all circuit courts or all case types; and

WHEREAS, plans for statewide electronic filing systems for all court levels that can be used as a guide have been implemented in multiple states, such as North Carolina, which recently began an estimated three-year process of introducing a uniform electronic filing system for all cases across all state courts and judicial districts; and

WHEREAS, the National Center for State Courts has identified numerous potential benefits of establishing a statewide electronic filing system, including a reduction in paper costs and office space requirements for courts, increased information accessibility, improved efficiency of clerks and court staff, and 24/7 access for attorneys and the public; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Office of the Executive Secretary of the Supreme Court of Virginia be requested to study the feasibility of establishing a uniform electronic filing system for all state circuit, general district, and juvenile and domestic relations courts and provide a plan for the establishment of such system.

In conducting its study, the Office of the Executive Secretary of the Supreme Court of Virginia shall (i) determine the cost of the creation and implementation of a uniform filing system for all state circuit, general district, and juvenile and domestic relations district courts; (ii) identify any potential challenges of and concerns relating to establishing a statewide electronic filing system, such as Internet availability in certain parts of the state, balancing accessibility and transparency while maintaining confidentiality as required for certain cases, security concerns, system failure or outages, and training for users of the system, and determine possible solutions for identified concerns; (iii) analyze the current federal electronic filing system and plans implemented in other states to determine best practices for developing and implementing a statewide system for all circuit and district courts in the Commonwealth; and (iv) develop a plan for the establishment of a uniform electronic filing system in all circuit and district courts in the Commonwealth.

Technical assistance shall be provided to the Office of the Executive Secretary of the Supreme Court of Virginia by all circuit, general district, and juvenile and domestic relations clerks of court in the Commonwealth. All agencies of the Commonwealth shall provide assistance to the Office of the Executive Secretary of the Supreme Court of Virginia for this study, upon request.

The Office of the Executive Secretary of the Supreme Court of Virginia shall complete its meetings by November 30, 2022, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2023 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

INTRODUCED

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