LegalXML Electronic Court Filing 5.0  
 Court Policy Requirements

For discussion with the LegalXML RuleML Technical Committee

# Background: ECF 4.01 Support for Court Policy

The LegalXML Electronic Court Filing (ECF) 4.01 Core Specification is an OASIS Standard for court electronic filing (e-filing) and electronic service (e-service) based on the National Information Exchange Model (NIEM) 2.01. ECF 4.01 includes a limited capability for a court to assert to describe certain localized variations and extensions in the implementation of e-filing and e-service.

Specificallly, ECF defines XML schemas for court policy query and response messages intended for use by a Filing Assembly Major Design Element (MDE), usually implemented outside the court, to obtain the current machine-readable court policy from a Filing Review MDE, usually implemented in the court. The response schema includes both development-time information (e.g. extensions) and run-time (e.g. code lists) information about the capabilities of the system and requirements for conformance with court rules and administrative orders related to e-filing and e-service. Most of the court policy elements are simple values (e.g. the maximum size of an attachment) or boolean indicators (e.g., whether the court accepts batch filings). Policies that are inexpressible within the defined values of the court policy response message schema are intended to be provided through human-readable policies (e.g. HTML).

ECF 4.01 support for court policy is summarized in the following appendices:

# APPENDIX A is an excerpt of the normative sections of the ECF 4.01 specification that define court policy.

* APPENDIX B includes the normative schemas that define the court policy query and response messages.
* APPENDIX C includes non-normative XML sample instances of court policy query and response messages.

# Court Policy Requirements for ECF 5.0

The ECF Technical Committee (TC) is beginning work on the next major release of ECF based on NIEM 3.0 which is currently in beta. One of the improvements targeted by the ECF TC for the 5.0 release is an improved capability for expressing court rules for e-filing and e-service that better support the complexity, variability and modularity of the rules common to real world implementations.

Example requirements for ECF 5.0 include:

1. *Court systems need to be able to uniquely identify courts and case types hierarchically and associate court rules with any layer in the hierarchy*. At a minimum, in most courts, both state and local rules of court will apply and combine. In many courts, additional rules may apply to specific court divisions (e.g. civil, criminal, traffic), specialties courts within court divisions (family court, teen court, drug court, veteran’s court) or for a specific judge and/or courtroom (e.g. common in Texas).
2. *Courts need to be able to constrain the use of certain NIEM and ECF elements and types.* To support a variety of courts and e-filing business models, NIEM and ECF are intentionally flexible and there are sometimes multiple ways of expressing the same semantic content. For instance, there are multiple roles for case participants (e.g. CaseInitiatingPartyAttorney, CaseProsecutionAttorney). Courts may choose to limit or exclude the use of certain case participants roles in specific case types.
3. *Courts also need to be able to constrain and extend ECF beyond the capabilities of XML schema and Genericode.* By automating the enforcement of court rules, the need for manual review of filings by the clerk can be reduced or eliminated. ECF 3 supported only XML schema code lists. For instance, the use of Genericode in ECF 4 has enabled hierarchical code lists. However, these mechanisms are still insufficient for expressing which documents and docket types are either required and/or permissible in certain case types.
4. *Courts need to enforce security and privacy rules.* Courts often define rules for special handling of certain case types, document types or personally identifiable information (PII) due to security and privacy concerns. For instance, identifying information about minors (in juvenile abuse and neglect, delinqeuncy or dependency cases), medical records (common to malpractice cases) and wills (common to probate cases), are often protected by court rules. PII in any document or case type is often protected although the definitions or what constitutes PII differs from court to court.

APPENDIX D provides examples of state and local e-filing rules currently used in the King County, Washington e-filing system. Note that these examples represent just one court. Rules for e-filing and e-service vary significantly from state to state and even between local courts within states.

# Current Status (July, 2013)

The ECF TC is just beginning to consider several rules languages as candidates for use in ECF 5.0 including BPEL, Schematron and LegalRuleML. Ideally, the use a more robust rules language for expressing court policy would reduce the need for separate human-readable and machine-readable policies. The ECF TC would welcome any suggestions from the LegalRuleML community in any technologies that might best suit our needs.

# APPENDIX B – Definition of Court Policy in ECF 4.01

## 2.4 Court Policy

A court’s customary practices may influence many aspects of its ECF 4.0 implementation, and those local practices and variations are expressed through the “court policy” component of e-filing, which includes:

* **Human-readable court policy** – a textual document publishing the court’s rules and requirements for electronic filing.
* **Machine-readable court policy** – an ECF 4.0 message that describes the features of the ECF 4.0 implementation supported by this specification, the court’s code lists and any other information a Filing Assembly MDE would need to know in order to successfully submit an electronic filing into that court.

The court MUST have only one active, authoritative version of its policies at a given time; both the human-readable and the machine-readable statements of those policies MUST have the same release dates for the court.

The court’s human-readable and machine-readable court policies MUST each have a version numbering method associated with it. The court’s versioning process SHOULD comply with the following rules: 1) Versions are denoted using a standard triplet of integers: MAJOR.MINOR.PATCH; 2) Different MAJOR versions are to be considered incompatible, large-scale upgrades of the Policy; 3) Different MINOR versions are to be considered to retain source and binary compatibility with earlier minor versions, and changes in the PATCH level are perfectly compatible, forward and backward. It is important to note that a policy that has not reached version 1.0.0 is not subject to the guidelines described in this document. Before a 1.0 release is achieved (i.e., any version numbered 0.x.y), court policy can be changed freely without regard to the restrictions on compatibility between versions.

Court policy is not directly equivalent to “service policy” in the **[SOA-RM]**. However, thinking about court policy from a policy assertion, policy owner and policy enforcement framework as described in the **[SOA-RM]** is helpful. Note that “court policy” refers to a set of constituent rules and requirements, while the **[SOA-RM]** looks at each individual item as a “service policy.” In all cases the policy owner is the court where the document is to be filed. Also note that none of the elements of court policy rise to the level of a “service contract” as defined by the **[SOA-RM]**.

### Human-Readable Court Policy

To be compliant with the ECF 4.0 specification, each court MUST publish a human-readable court policy that MUST include each of the following:

1. The unique court identifier
2. The location of the machine-readable court policy
3. A definition of what constitutes a “lead document” in the court
4. A description of how filer identifiers are to be maintained during electronic communications regarding the case
5. A description of how the court processes (dockets) filings
6. A description of any instances in which the court will mandate an element that the ECF 4.0 schema makes optional
7. A description of any restrictions to data property values other than code list restrictions. (This restriction may be removed in later versions of the ECF specification)
8. Any other rules required for electronic filing in the court

### Machine-Readable Court Policy

Machine-readable Court Policy includes structures for identifying run-time and development-time policy information.

Run-time information includes information that will be updated from time to time, such as code lists (e.g., acceptable document types, codes for various criminal charges and civil causes of action) and the court’s public key for digital signatures and encryption.

Development-time information includes court rules governing electronic filing that are needed at the time an application is developed but which are not likely to change. These include:

1. The service interaction profile(s) that the court supports
2. The MDEs, query operations and case types supported by the court’s ECF 4.0 system
3. Whether a court will accept the filing of a URL in lieu of the electronic document itself
4. Whether the court accepts documents requiring payment of a filing fee
5. Whether the court accepts electronic filing of sealed documents
6. Whether the court accepts multiple (batch) filings
7. The court-specific extensions to the ECF 4.0 specification, including the required elements (see below)
8. The maximum sizes allowed for a single attachment and a complete message stream

The machine readable court policy MUST be provided to the Filing Assembly MDE either by the Filing Review MDE through the GetCourtPolicy query or some other means.

### GetPolicy

The Filing Assembly MDE MAY obtain a court’s machine-readable court policy at any time by invoking the GetPolicy operation on the Filing Review MDE with the identifier for the court. The Filing Review MDE returns the machine-readable court policy in a synchronous response. The content of the machine-readable court policy is described in Section 2.4.2. This step may be omitted if the Filing Assembly MDE already has the current court policy.

# APPENDIX C – ECF 4.01 Court Policy Query and Response Message Schemas (Normative)

## ECF 4.01 Court Policy Query Message Schema

<xsd:schema xmlns="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyQueryMessage-4.0" xmlns:j="http://niem.gov/niem/domains/jxdm/4.0" xmlns:niem-xsd="http://niem.gov/niem/proxy/xsd/2.0" xmlns:i="http://niem.gov/niem/appinfo/2.0" xmlns:s="http://niem.gov/niem/structures/2.0" xmlns:xsd="http://www.w3.org/2001/XMLSchema" xmlns:nc="http://niem.gov/niem/niem-core/2.0" xmlns:ecf="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" targetNamespace="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyQueryMessage-4.0" version="4.0">

<xsd:annotation>

<xsd:documentation>CourtPolicyQueryMessage</xsd:documentation>

<xsd:appinfo>

<i:ConformantIndicator>true</i:ConformantIndicator>

</xsd:appinfo>

</xsd:annotation>

<xsd:import namespace="http://niem.gov/niem/niem-core/2.0" schemaLocation="../constraint/niem/niem-core/2.0/niem-core.xsd"/>

<xsd:import namespace="http://niem.gov/niem/structures/2.0" schemaLocation="../constraint/niem/structures/2.0/structures.xsd"/>

<xsd:import namespace="http://niem.gov/niem/appinfo/2.0" schemaLocation="../constraint/niem/appinfo/2.0/appinfo.xsd"/>

<xsd:import namespace="http://niem.gov/niem/proxy/xsd/2.0" schemaLocation="../constraint/niem/proxy/xsd/2.0/xsd.xsd"/>

<xsd:import namespace="http://niem.gov/niem/domains/jxdm/4.0" schemaLocation="../constraint/niem/domains/jxdm/4.0/jxdm.xsd"/>

<xsd:import namespace="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" schemaLocation="../common/ECF-4.0-CommonTypes.xsd"/>

<xsd:complexType name="CourtPolicyQueryMessageType">

<xsd:annotation>

<xsd:documentation>A request for a court's Court Policy.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="ecf:QueryMessageType"/>

</xsd:complexContent>

</xsd:complexType>

<xsd:element name="CourtPolicyQueryMessage" type="CourtPolicyQueryMessageType">

<xsd:annotation>

<xsd:documentation>A request for a court's Court Policy.</xsd:documentation>

</xsd:annotation>

</xsd:element>

</xsd:schema>

## ECF 4.01 Court Policy Response Message Schema

<xsd:schema xmlns="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyResponseMessage-4.0" xmlns:niem-xsd="http://niem.gov/niem/proxy/xsd/2.0" xmlns:i="http://niem.gov/niem/appinfo/2.0" xmlns:s="http://niem.gov/niem/structures/2.0" xmlns:xsd="http://www.w3.org/2001/XMLSchema" xmlns:nc="http://niem.gov/niem/niem-core/2.0" xmlns:ecf="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" xmlns:digsig="http://www.w3.org/2000/09/xmldsig#" xmlns:mde="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:MajorDesignElementNameCode-4.0" xmlns:operation="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:OperationNameCode-4.0" xmlns:a="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:AppInfo-4.0" targetNamespace="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyResponseMessage-4.0" version="4.0">

<xsd:annotation>

<xsd:documentation>CourtPolicyResponseMessage</xsd:documentation>

<xsd:appinfo>

<i:ConformantIndicator>true</i:ConformantIndicator>

</xsd:appinfo>

</xsd:annotation>

<xsd:import namespace="http://niem.gov/niem/niem-core/2.0" schemaLocation="../constraint/niem/niem-core/2.0/niem-core.xsd"/>

<xsd:import namespace="http://niem.gov/niem/structures/2.0" schemaLocation="../constraint/niem/structures/2.0/structures.xsd"/>

<xsd:import namespace="http://niem.gov/niem/appinfo/2.0" schemaLocation="../constraint/niem/appinfo/2.0/appinfo.xsd"/>

<xsd:import namespace="http://niem.gov/niem/proxy/xsd/2.0" schemaLocation="../constraint/niem/proxy/xsd/2.0/xsd.xsd"/>

<xsd:import namespace="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" schemaLocation="../common/ECF-4.0-CommonTypes.xsd"/>

<xsd:import namespace="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:AppInfo-4.0" schemaLocation="../common/ECF-4.0-AppInfo.xsd"/>

<xsd:import namespace="http://www.w3.org/2000/09/xmldsig#" schemaLocation="../common/xmldsig-core-schema.xsd"/>

<xsd:simpleType name="CaseTypeCodeSimpleType">

<xsd:annotation>

<xsd:documentation>A type of court case.</xsd:documentation>

</xsd:annotation>

<xsd:restriction base="xsd:normalizedString">

<xsd:enumeration value="Appellate">

<xsd:annotation>

<xsd:documentation>Appellate case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Bankruptcy">

<xsd:annotation>

<xsd:documentation>Bankruptcy case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Citation">

<xsd:annotation>

<xsd:documentation>Citation case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Civil">

<xsd:annotation>

<xsd:documentation>Civil case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Criminal">

<xsd:annotation>

<xsd:documentation>Criminal case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Domestic">

<xsd:annotation>

<xsd:documentation>Domestic case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Juvenile">

<xsd:annotation>

<xsd:documentation>Juvenile case type</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

</xsd:restriction>

</xsd:simpleType>

<xsd:complexType name="CaseTypeCodeType">

<xsd:annotation>

<xsd:documentation>A type of court case.</xsd:documentation>

</xsd:annotation>

<xsd:simpleContent>

<xsd:extension base="CaseTypeCodeSimpleType">

<xsd:attributeGroup ref="s:SimpleObjectAttributeGroup"/>

</xsd:extension>

</xsd:simpleContent>

</xsd:complexType>

<xsd:complexType name="CourtCodelistType">

<xsd:annotation>

<xsd:documentation>A Genericode list of valid codes for an element in a particular court to be substituted for an ECF element.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="s:ComplexObjectType">

<xsd:sequence>

<xsd:element ref="ECFElementName"/>

<xsd:element ref="EffectiveDate"/>

<xsd:element ref="ExpirationDate" minOccurs="0"/>

<xsd:element ref="CourtCodelistURI"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:complexType name="CourtExtensionType">

<xsd:annotation>

<xsd:documentation>A schema that defines a court-specific data structure to be substituted for an ECF element.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="s:ComplexObjectType">

<xsd:sequence>

<xsd:element ref="ECFElementName"/>

<xsd:element ref="CourtExtensionURI"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:complexType name="CourtPolicyQueryMessageType">

<xsd:annotation>

<xsd:documentation>A request for a court's Court Policy.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="ecf:CaseFilingType"/>

</xsd:complexContent>

</xsd:complexType>

<xsd:complexType name="CourtPolicyResponseMessageType">

<xsd:annotation>

<xsd:documentation>The response to a request for a court's Court Policy.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="ecf:QueryResponseMessageType">

<xsd:sequence>

<xsd:element ref="PolicyVersionID"/>

<xsd:element ref="PolicyLastUpdateDate"/>

<xsd:element ref="RuntimePolicyParameters"/>

<xsd:element ref="DevelopmentPolicyParameters"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:complexType name="DevelopmentPolicyParametersType">

<xsd:annotation>

<xsd:documentation>Within Court Policy, the policies that are accessed by a person or organization developing an applications or configuring an application to interact with a court for the purpose of structuring the interactions with that court. This information is needed once and is not accessed dynamically while interacting with the court.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="s:ComplexObjectType">

<xsd:sequence>

<xsd:element ref="URLAttachmentSupportedIndicator"/>

<xsd:element ref="AcceptDocumentsRequiringFeesIndicator"/>

<xsd:element ref="AcceptConfidentialFilingsIndicator"/>

<xsd:element ref="AcceptMultipleLeadDocumentsIndicator"/>

<xsd:element ref="MaximumAllowedAttachmentSize" minOccurs="0"/>

<xsd:element ref="MaximumAllowedMessageSize" minOccurs="0"/>

<xsd:element ref="SupportedMessageProfileCode" maxOccurs="unbounded"/>

<xsd:element ref="SupportedSignatureProfileCode" maxOccurs="unbounded"/>

<xsd:element ref="SupportedOperationName" maxOccurs="unbounded"/>

<xsd:element ref="SupportedCaseType" maxOccurs="unbounded"/>

<xsd:element ref="CourtExtension" minOccurs="0" maxOccurs="unbounded"/>

<xsd:element ref="FilingFeesMayBeApplicableIndicator"/>

<xsd:element ref="EffectiveDate"/>

<xsd:element ref="ExpirationDate" minOccurs="0"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:simpleType name="MajorDesignElementNameCodeSimpleType">

<xsd:annotation>

<xsd:documentation>Name of a major design element.</xsd:documentation>

</xsd:annotation>

<xsd:restriction base="xsd:normalizedString">

<xsd:enumeration value="CourtRecord">

<xsd:annotation>

<xsd:documentation>CourtRecord MDE</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="FilingAssembly">

<xsd:annotation>

<xsd:documentation>FilingAssembly MDE</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="FilingReview">

<xsd:annotation>

<xsd:documentation>FilingReview MDE</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="Service">

<xsd:annotation>

<xsd:documentation>Service MDE</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

</xsd:restriction>

</xsd:simpleType>

<xsd:complexType name="MajorDesignElementNameCodeType">

<xsd:annotation>

<xsd:documentation>Name of a major design element.</xsd:documentation>

</xsd:annotation>

<xsd:simpleContent>

<xsd:extension base="MajorDesignElementNameCodeSimpleType">

<xsd:attributeGroup ref="s:SimpleObjectAttributeGroup"/>

</xsd:extension>

</xsd:simpleContent>

</xsd:complexType>

<xsd:simpleType name="OperationNameSimpleType">

<xsd:annotation>

<xsd:documentation>Name of an MDE operation.</xsd:documentation>

</xsd:annotation>

<xsd:restriction base="xsd:normalizedString">

<xsd:enumeration value="GetFeesCalculation">

<xsd:annotation>

<xsd:documentation>GetFeesCalculation query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetCase">

<xsd:annotation>

<xsd:documentation>GetCase query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetCaseList">

<xsd:annotation>

<xsd:documentation>GetFeesCaseList query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetDocument">

<xsd:annotation>

<xsd:documentation>GetDocument query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetFilingList">

<xsd:annotation>

<xsd:documentation>GetFilingList query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetFilingStatus">

<xsd:annotation>

<xsd:documentation>GetFilingStatus query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetPolicy">

<xsd:annotation>

<xsd:documentation>GetPolicy query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="GetServiceInformation">

<xsd:annotation>

<xsd:documentation>GetServiceInformation query</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="NotifyFilingReview">

<xsd:annotation>

<xsd:documentation>NotifyFilingReview message</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="NotifyDocketing">

<xsd:annotation>

<xsd:documentation>NotifyDocketing message</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="RecordFiling">

<xsd:annotation>

<xsd:documentation>RecordFiling message</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="ReviewFiling">

<xsd:annotation>

<xsd:documentation>ReviewFiling message</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

<xsd:enumeration value="ServeFiling">

<xsd:annotation>

<xsd:documentation>ServeFiling message</xsd:documentation>

</xsd:annotation>

</xsd:enumeration>

</xsd:restriction>

</xsd:simpleType>

<xsd:complexType name="OperationNameType">

<xsd:annotation>

<xsd:documentation>Name of an MDE operation.</xsd:documentation>

</xsd:annotation>

<xsd:simpleContent>

<xsd:extension base="OperationNameSimpleType">

<xsd:attributeGroup ref="s:SimpleObjectAttributeGroup"/>

</xsd:extension>

</xsd:simpleContent>

</xsd:complexType>

<xsd:complexType name="PublicKeyInformationType">

<xsd:annotation>

<xsd:documentation>Symmetric or asymmetric keys used to encrypt and decrypt, or verify signed messages or documents exchanged with the court.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="s:ComplexObjectType">

<xsd:sequence>

<xsd:element ref="digsig:KeyInfo" minOccurs="0"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:complexType name="RuntimePolicyParametersType">

<xsd:annotation>

<xsd:documentation>Within Court Policy, the policies that are accessed dynamically by applications interacting with a court.</xsd:documentation>

</xsd:annotation>

<xsd:complexContent>

<xsd:extension base="s:ComplexObjectType">

<xsd:sequence>

<xsd:element ref="PublicKeyInformation" minOccurs="0"/>

<xsd:element ref="CourtCodelist" maxOccurs="unbounded"/>

</xsd:sequence>

</xsd:extension>

</xsd:complexContent>

</xsd:complexType>

<xsd:element name="AcceptDocumentsRequiringFeesIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Whether the court will accept electronic filing of documents requiring filing fees.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="AcceptConfidentialFilingsIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Whether the court will accept electronic filing of documents for which the filer requests confidential or sealed treatment by the court.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="AcceptMultipleLeadDocumentsIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Does court accept placing multiple lead documents in a single message</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="CourtCodelist" type="CourtCodelistType">

<xsd:annotation>

<xsd:documentation>A Genericode list of valid codes for an element in a particular court to be substituted for an ECF element. The 'code' column of the codelist includes the allowed values.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="CourtCodelistURI" type="nc:IdentificationType">

<xsd:annotation>

<xsd:documentation>A URI reference to a court-specific codelist defined in Genericode.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="CourtExtension" type="CourtExtensionType">

<xsd:annotation>

<xsd:documentation>A schema that defines a court-specific data structure to be substituted for an ECF element..</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="CourtExtensionURI" type="nc:IdentificationType">

<xsd:annotation>

<xsd:documentation>A URI reference to a court-specific extension.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="CourtPolicyResponseMessage" type="CourtPolicyResponseMessageType">

<xsd:annotation>

<xsd:documentation>The response to a request for a court's Court Policy.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="DevelopmentPolicyParameters" type="DevelopmentPolicyParametersType">

<xsd:annotation>

<xsd:documentation>Within Court Policy, the policies that are accessed by a person or organization developing an applications or configuring an application to interact with a court for the purpose of structuring the interactions with that court. This information is needed once and is not accessed dynamically while interacting with the court.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="ECFElementName" type="nc:TextType">

<xsd:annotation>

<xsd:documentation>The name of an ECF element to be substituted by a court-specific codelist or extension.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="EffectiveDate" type="nc:DateType">

<xsd:annotation>

<xsd:documentation>The date on which a court code list or extension became or will become allowed.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="ExpirationDate" type="nc:DateType">

<xsd:annotation>

<xsd:documentation>The date on which a court code list or extension was or will be terminated.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="FilingFeesMayBeApplicableIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Indicates whether fees may be required for some filings.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="GetFeesCalculationSupportedIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Indicates whether the e-filing system supports the GetFeesCalculation query.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="GetCaseListSupportedIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Indicates whether the e-filing system supports the GetCaseList query.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="MajorDesignElementNameCode" type="MajorDesignElementNameCodeType">

<xsd:annotation>

<xsd:documentation>Name of a major design element.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="MaximumAllowedAttachmentSize" type="nc:MeasureType">

<xsd:annotation>

<xsd:documentation>The maximum allowed attachment size, in bytes. Does not appear if there is no maximum.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="MaximumAllowedMessageSize" type="nc:MeasureType">

<xsd:annotation>

<xsd:documentation>Maximum allowed size of the Court Filing Message Stream, in bytes. Does not appear if there is no maximum.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="PolicyLastUpdateDate" type="nc:DateType">

<xsd:annotation>

<xsd:documentation>The date on which a court's Court Policy was last revised.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="PolicyVersionID" type="nc:IdentificationType">

<xsd:annotation>

<xsd:documentation>The version of court policy reported by this message. Up to the court to define the format of this, and describe in human-readable court policy.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="PublicKeyInformation" type="PublicKeyInformationType">

<xsd:annotation>

<xsd:documentation>Symmetric or asymmetric keys used to encrypt and decrypt, or verify signed messages or documents exchanged with the court.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="RuntimePolicyParameters" type="RuntimePolicyParametersType">

<xsd:annotation>

<xsd:documentation>Within Court Policy, the policies that are accessed dynamically by applications interacting with a court.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="SupportedCaseType" type="CaseTypeCodeType">

<xsd:annotation>

<xsd:documentation>A structure containing indicators that signal support by the e-filing system for each ECF case type.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="SupportedMessageProfileCode" type="nc:TextType">

<xsd:annotation>

<xsd:documentation>A message profile approved for use by the OASIS LegalXML Member Section Electronic Court Filing Technical Committee that is supported by this court.</xsd:documentation>

<xsd:appinfo>

<a:CourtPolicyDefinedCodeIndicator>true</a:CourtPolicyDefinedCodeIndicator>

</xsd:appinfo>

</xsd:annotation>

</xsd:element>

<xsd:element name="SupportedOperationName" type="OperationNameType">

<xsd:annotation>

<xsd:documentation>Name of an MDE operation.</xsd:documentation>

</xsd:annotation>

</xsd:element>

<xsd:element name="SupportedSignatureProfileCode" type="nc:TextType">

<xsd:annotation>

<xsd:documentation>A signature profile approved for use by the OASIS LegalXML Member Section Electronic Court Filing Technical Committee that is supported by this court.</xsd:documentation>

<xsd:appinfo>

<a:CourtPolicyDefinedCodeIndicator>true</a:CourtPolicyDefinedCodeIndicator>

</xsd:appinfo>

</xsd:annotation>

</xsd:element>

<xsd:element name="URLAttachmentSupportedIndicator" type="niem-xsd:boolean">

<xsd:annotation>

<xsd:documentation>Whether court allows attachments via remote URLs.</xsd:documentation>

</xsd:annotation>

</xsd:element>

</xsd:schema>

# APPENDIX D – Example ECF 4.01 Court Policy Query and Response Messages (Non-normative)

## Example ECF 4.01 Court Policy Query Message

<CourtPolicyQueryMessage xmlns="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyQueryMessage-4.0" xmlns:j="http://niem.gov/niem/domains/jxdm/4.0" xmlns:nc="http://niem.gov/niem/niem-core/2.0" xmlns:ecf="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance" xsi:schemaLocation="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyQueryMessage-4.0 ../xsd/message/ECF-4.0-CourtPolicyQueryMessage.xsd">

<ecf:SendingMDELocationID>

<nc:IdentificationID>https://efilingprovider.com:8000</nc:IdentificationID>

</ecf:SendingMDELocationID>

<ecf:SendingMDEProfileCode>urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:WebServicesMessaging-2.0</ecf:SendingMDEProfileCode>

<ecf:QuerySubmitter>

<ecf:EntityPerson>

<nc:PersonOtherIdentification>

<nc:IdentificationID>1001</nc:IdentificationID>

<nc:IdentificationCategoryText>ECFFilerID</nc:IdentificationCategoryText>

</nc:PersonOtherIdentification>

</ecf:EntityPerson>

</ecf:QuerySubmitter>

<j:CaseCourt>

<nc:OrganizationIdentification>

<nc:IdentificationID>01</nc:IdentificationID>

</nc:OrganizationIdentification>

<j:CourtName>King County Superior Court</j:CourtName>

</j:CaseCourt>

</CourtPolicyQueryMessage>

## Example ECF 4.01 Court Policy Response Message

<CourtPolicyResponseMessage xmlns="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyResponseMessage-4.0" xmlns:j="http://niem.gov/niem/domains/jxdm/4.0" xmlns:nc="http://niem.gov/niem/niem-core/2.0" xmlns:ecf="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CommonTypes-4.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance" xsi:schemaLocation="urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:CourtPolicyResponseMessage-4.0 ../xsd/message/ECF-4.0-CourtPolicyResponseMessage.xsd">

<ecf:SendingMDELocationID>

<nc:IdentificationID>https://courts.wa.gov:8000</nc:IdentificationID>

</ecf:SendingMDELocationID>

<ecf:SendingMDEProfileCode>urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:WebServicesMessaging-2.0</ecf:SendingMDEProfileCode>

<j:CaseCourt>

<nc:OrganizationIdentification>

<nc:IdentificationID>01</nc:IdentificationID>

</nc:OrganizationIdentification>

<j:CourtName>King County Superior Court</j:CourtName>

</j:CaseCourt>

<ecf:Error>

<ecf:ErrorCode>0</ecf:ErrorCode>

<ecf:ErrorText>No error</ecf:ErrorText>

</ecf:Error>

<PolicyVersionID>

<nc:IdentificationID>1</nc:IdentificationID>

</PolicyVersionID>

<PolicyLastUpdateDate>

<nc:DateTime>2008-08-01T14:20:00.0Z</nc:DateTime>

</PolicyLastUpdateDate>

<RuntimePolicyParameters>

<CourtCodelist>

<ECFElementName>j:RegisterActionDescriptionText</ECFElementName>

<EffectiveDate>

<nc:Date>2008-08-01</nc:Date>

</EffectiveDate>

<CourtCodelistURI>

<nc:IdentificationID>https://courts.wa.gov:8000/codes/docketcodes</nc:IdentificationID>

</CourtCodelistURI>

</CourtCodelist>

</RuntimePolicyParameters>

<DevelopmentPolicyParameters>

<URLAttachmentSupportedIndicator>true</URLAttachmentSupportedIndicator>

<AcceptDocumentsRequiringFeesIndicator>true</AcceptDocumentsRequiringFeesIndicator>

<AcceptConfidentialFilingsIndicator>true</AcceptConfidentialFilingsIndicator>

<AcceptMultipleLeadDocumentsIndicator>true</AcceptMultipleLeadDocumentsIndicator>

<MaximumAllowedAttachmentSize>

<nc:MeasureText>10000000</nc:MeasureText>

<nc:MeasureUnitText>byte</nc:MeasureUnitText>

</MaximumAllowedAttachmentSize>

<MaximumAllowedMessageSize>

<nc:MeasureText>100000000</nc:MeasureText>

<nc:MeasureUnitText>byte</nc:MeasureUnitText>

</MaximumAllowedMessageSize>

<SupportedMessageProfileCode/>

<SupportedSignatureProfileCode/>

<SupportedOperationName>GetCase</SupportedOperationName>

<SupportedOperationName>GetCaseList</SupportedOperationName>

<SupportedOperationName>GetDocument</SupportedOperationName>

<SupportedOperationName>GetFeesCalculation</SupportedOperationName>

<SupportedOperationName>GetFilingList</SupportedOperationName>

<SupportedOperationName>GetFilingStatus</SupportedOperationName>

<SupportedOperationName>GetPolicy</SupportedOperationName>

<SupportedOperationName>GetServiceInformation</SupportedOperationName>

<SupportedOperationName>NotifyDocketing</SupportedOperationName>

<SupportedOperationName>NotifyFilingReview</SupportedOperationName>

<SupportedOperationName>RecordFiling</SupportedOperationName>

<SupportedOperationName>ReviewFiling</SupportedOperationName>

<SupportedOperationName>ServeFiling</SupportedOperationName>

<SupportedCaseType>Appellate</SupportedCaseType>

<SupportedCaseType>Bankruptcy</SupportedCaseType>

<SupportedCaseType>Citation</SupportedCaseType>

<SupportedCaseType>Civil</SupportedCaseType>

<SupportedCaseType>Criminal</SupportedCaseType>

<SupportedCaseType>Domestic</SupportedCaseType>

<SupportedCaseType>Juvenile</SupportedCaseType>

<FilingFeesMayBeApplicableIndicator>true</FilingFeesMayBeApplicableIndicator>

<EffectiveDate>

<nc:Date>2008-08-01</nc:Date>

</EffectiveDate>

</DevelopmentPolicyParameters>

</CourtPolicyResponseMessage>

# APPENDIX D - Example State and Local Court Policies

## State Example - Washington Rules on Electronic Filing (General Rule 30)

GR 30

ELECTRONIC FILING

(a) Definitions

(1) "Digital signature" is defined in RCW 19.34.020.

(2) "Electronic Filing" is the electronic transmission of information to a

court or clerk for case processing.

(3) "Electronic Document" is an electronic version of information

traditionally filed in paper form, except for documents filed by facsimile

which are addressed in GR 17. An electronic document has the same legal effect

as a paper document.

(4) "Electronic Filing Technical Standards" are those standards, not

inconsistent with this rule, adopted by the Judicial Information System

committee to implement electronic filing.

(5) "Filer" is the person whose user ID and password are used to file an

electronic document.

Comment

The form of "digital signature" that is acceptable is not limited to

the procedure defined by chapter 19.34 RCW, but may include

other equivalently reliable forms of authentication as adopted by

local court rule or general.

(b) Electronic filing authorization, exception, service, and technology equipment.

(1) The clerk may accept for filing an electronic document that complies with

the Court Rules and the Electronic Filing Technical Standards.

(2) A document that is required by law to be filed in non-electronic media

may not be electronically filed.

Comment

Certain documents are required by law to be filed in non-electronic media. Examples

are original wills, certified records of proceedings for purposes of appeal, negotiable

instruments, and documents of foreign governments under official seal.

(3) Electronic Transmission from the Court. The clerk may electronically

transmit notices, orders, or other documents to a party who has filed

electronically, or has agreed to accept electronic documents from the court,

and has provided the clerk the address of the party's electronic mailbox. It

is the responsibility of the filing or agreeing party to maintain an electronic

mailbox sufficient to receive electronic transmissions of notices, orders, and other documents.

(4) Electronic Service by Parties. Parties may electronically serve documents

on other parties of record only by agreement.

(5) A court may adopt a local rule that mandates electronic filing by

attorneys provided that the attorneys are not additionally required to file

paper copies except for those documents set forth in (b)(2). The local rule

shall not be inconsistent with this Rule and the Electronic Filing Technical

Standards, and the local rule shall permit paper filing upon a showing of good

cause. Electronic filing should not serve as a barrier to access.

Comment

When adopting electronic filing requirements, courts should refrain from requiring

counsel to provide duplicate paper pleadings as "working copies" for judicial officers.

(c) Time of Filing, Confirmation, and Rejection.

(1) An electronic document is filed when it is received by the clerk's

designated computer during the clerk's business hours; otherwise the document

is considered filed at the beginning of the next business day.

(2) The clerk shall issue confirmation to the filing party that an electronic

document has been received.

(3) The clerk may reject a document that fails to comply with applicable electronic

filing requirements. The clerk must notify the filing party of the rejection and

the reason therefor.

(d) Authentication of Electronic Documents.

(1) Procedures

(A) A person filing an electronic document must have received a user ID and

password from a government agency or a person delegated by such agency in order

to use the applicable electronic filing service.

Comment

The committee encourages local clerks and courts to develop a protocol for uniform

statewide single user ID's and passwords.

(B) All electronic documents must be filed by using the user ID and password

of the filer.

(C) A filer is responsible for all documents filed with his or her user ID

and password. No one shall use the filer's user ID and password without the

authorization of the filer.

(2) Signatures

(A) Attorney Signatures - An electronic document which requires an attorney's

signature may be signed with a digital signature or signed in the following manner:

s/ John Attorney

State Bar Number 12345

ABC Law Firm

123 South Fifth Avenue

Seattle, WA 98104

Telephone: (206) 123-4567

Fax: (206) 123-4567

E-mail: John.Attorney@lawfirm.com

(B) Non-attorney signatures - An electronic document which requires a non-

attorney's signature and is not signed under penalty of perjury may be signed

with a digital signature or signed in the following manner:

s/ John Citizen

123 South Fifth Avenue

Seattle, WA 98104

Telephone: (206) 123-4567

Fax: (206) 123-4567

E-mail: John.Citizen@email.com

(C) Non-attorney signatures on documents signed under penalty of perjury -

Except as set forth in (d)(2)(D) of this rule, if the original document

requires the signature of a non-attorney signed under penalty of perjury, the

filer must either:

(i) Scan and electronically file the entire document, including the signature

page with the signature, and maintain the original signed paper document for

the duration of the case, including any period of appeal, plus sixty (60) days

thereafter; or

(ii) Ensure the electronic document has the digital signature of the signer.

(D) Law enforcement officer signatures on documents signed under penalty of perjury.

(i) A citation or notice of infraction initiated by an arresting or citing

officer as defined in IRLJ 1.2(j) and in accordance with CrRLJ 2.1 or IRLJ 2.1

and 2.2 is presumed to have been signed when the arresting or citing officer

uses his or her user id and password to electronically file the citation or

notice of infraction.

(ii) Any document initiated by a law enforcement officer is presumed to have

been signed when the officer uses his or her user ID and password to

electronically submit the document to a court or prosecutor through the

Statewide Electronic Collision & Traffic Online Records application, the

Justice Information Network Data Exchange, or a local secured system that the

presiding judge designates by local rule. Unless otherwise specified, the

signature shall be presumed to have been made under penalty of perjury under

the laws of the State of Washington and on the date and at the place set forth

in the citation.

(E) Multiple signatures - If the original document requires multiple

signatures, the filer shall scan and electronically file the entire document,

including the signature page with the signatures, unless:

(i) The electronic document contains the digital signatures of all signers; or

(ii) For a document that is not signed under penalty of perjury, the signator

has the express authority to sign for an attorney or party and represents having

that authority in the document.

If any of the non-digital signatures are of non-attorneys, the filer shall maintain

the original signed paper document for the duration of the case, including any

period of appeal, plus sixty (60) days thereafter.

(F) Court Facilitated Electronically Captured Signatures - An electronic document

that requires a signature may be signed using electronic signature pad equipment

that has been authorized and facilitated by the court. This document may be

electronically filed as long as the electronic document contains the electronic

captured signature.

(3) An electronic document filed in accordance with this rule shall bind the

signer and function as the signer's signature for any purpose, including CR 11.

An electronic document shall be deemed the equivalent of an original signed

document if the filer has complied with this rule. All electronic documents

signed under penalty of perjury must conform to the oath language requirements

set forth in RCW 9A.72.085 and GR 13.

(e) Filing fees, electronic filing fees.

(1) The clerk is not required to accept electronic documents that require a

fee. If the clerk does accept electronic documents that require a fee, the

local courts must develop procedures for fee collection that comply with the

payment and reconciliation standards established by the Administrative Office

of the Courts and the Washington State Auditor.

(2) Anyone entitled to waiver of non-electronic filing fees will not be

charged electronic filing fees. The court or clerk shall establish an

application and waiver process consistent with the application and waiver

process used with respect to non-electronic filing and filing fees.

[Adopted effective September 1, 2003; December 4, 2007; September 1, 2011.]

<http://www.courts.wa.gov/court_rules/?fa=court_rules.display&group=ga&set=GR&ruleid=gagr30>

# Local Example – King County, Washington Local General Rule 30

### LGR 30 MANDATORY ELECTRONIC FILING

**(b) Electronic Filing.**                        **(5) Electronic Filing Is Mandatory.** Effective July 1, 2009, unless this rule provides otherwise, attorneys shall electronically file (e-file) all documents with the Clerk using the Clerk’s eFiling Application or an electronic service provider that uses the Clerk’s eFiling Application. Non-attorneys are not required to e-file documents.   
                                    **(A) Documents That Shall Not Be E-Filed.** Exceptions to mandatory e-filing include the following documents:   
                                            **(i)** Original wills and codicils, including new probate cases that include original wills or codicils;   
                                            **(ii)** Certified records of proceedings for purposes of appeal;   
                                            **(iii)** Documents presented for filing during a court hearing or trial;   
                                           **(iv)** Documents for filing in an Aggravated Murder case;   
                                           **(v)** Administrative Law Review (ALR) Petitions;   
                                           **(vi)** Interpleader or Surplus Funds Petitions;   
                                            **(vii)** Documents submitted for in camera review, including documents submitted pursuant to LGR 15;   
                                          **(viii)** Affidavits for Writs of Garnishment and Writs of Execution;   
                                          **(ix)** New cases or fee based documents filed with an Order in Forma Pauperis.   
                                    The above-excepted documents must be filed in paper form.   
                                    Comment: Negotiable instruments, exhibits, and trial notebooks are examples of items that are not to be filed in the court file either in paper form or by e-filing.   
                                    **(B) Documents That May Be E-Filed.** The following documents may be e-filed:   
                                           **(i)** Voluminous Documents—Voluminous documents of 500 pages or more may be e-filed or filed in paper form.   
                                          **(ii)** Answers to Writs of Garnishment   
                                           **(iii)** Appeals of lower court decisions   
                                            **(iv)** Documents from governments or other courts under official seal including adoption documents. If filed electronically, the filing party must retain the original document during the pendency of any appeal and until at least sixty (60) days after completion of the instant case, and shall present the original document to the court if requested to do so. This does not include documents that are or will be submitted as an exhibit in a hearing or trial.   
                                  **(C) Working Copies for E-Filed Documents.** Judges’ working copies for e-filed documents may be electronically submitted to the Clerk using the Clerk’s eFiling Application and pursuant to LCR 7 unless this rule provides otherwise. The Clerk may assess a fee for the electronic delivery of working copies. Working copies of documents of 500 pages or more in length shall not be submitted electronically. Working copies shall be delivered pursuant to LCR 7, LFLR 6 or the applicable rule for that case type.   
                                    **(D) Waiver of the Requirement to E-File.** If an attorney is unable to e-file documents, the attorney may request a waiver. The attorney must explain why he or she needs to file paper documents in that particular case. The Clerk will make waiver request forms available. The Clerk will consider each application and provide a written approval or denial to the attorney. Attorneys who receive a waiver shall file a copy of the waiver in each case in which they file documents. Attorneys who have received a waiver shall place the words “Exempt from e-filing per waiver filed on (date)” in the caption of all paper documents they file for the duration of the waiver.   
                                   **(E) Non-Compliance With This Rule.** If an attorney files a document in paper form and does not have an approved waiver from e-filing, the Clerk will assess a fee against the attorney pursuant to King County Code 4.71.100 for each paper document filed.   
  
  
[Adopted effective June 1, 2009; September 1, 2010; September 1, 2011; September 1, 2012.]

<http://www.kingcounty.gov/courts/Clerk/Rules/Individuallinks/LGR_30.aspx>