**ECF5 Spec Feedback and Considerations – 16**

This document contains additional questions and commentary resulting from a review at the Electronic Court Filing Version 5.0 Working Draft 20.

1. **Deprecation of Use of Content References**

This is a significant change and should be better advertised.

For starters, it should be included in the revision description in Appendix H for WD 20.

Furthermore, it should be noted as a change from ECF 4 to ECF 5. I’m not sure if we have a document or a section/appendix for significant changes from prior versions of ECF to ECF5, but wherever or however we are cataloging this, deprecation of content references definitely needs to be included.

Content references were required to be used in prior versions of ECF when messages were separate XML documents, and as such an s:ref from one message such as the RecordDocketingMessage could not validly reference an element by s:id in another message such as the CoreFilingMessage. With message wrappers in ECF 5, there is now a single XML document for each transmission and therefore, element references between messages are now valid.

1. **Filer/Attorney Identifiers**

So what is the purpose of Filer and Party Identifiers now that content references have been deprecated?

An alternative purpose has been as a container for local (e.g. CRMDE) identifiers. These ‘local identifiers’ may be managed external to ECF, typically being provided by the CRMDE, such as a Case Management System. However, these participant identifiers could be generated and managed by an EFM, by the FAMDE, or even by an identity management system, external to ECF. It is clear that there is, very often, a need to exchange ECF external participant identifiers amongst MDEs.

The current written specification does not require that implementations provide and exchange ECF external identifiers. This is probably correct that it does not if this is indeed a correct interpretation (note that in ECF 4, the responsibility for generation was placed on the court in response to a ReviewFiling operation). However, ECF does require the use of elements whose purpose may now only exist for this need; i.e. ecf:FilingPartyID, ecf:FilingAttorneyID, and ecf:AttorneyID. These elements are mandatory. Perhaps this should be interpreted as ECF requiring the use and exchange of external participant identifiers

With the deprecation of the use of ‘filer and attorney identifiers’ for content references, then if the purpose of these elements is now as suggested above, then the following changes should be considered:

* Generalize the element name, and remove the role aspect from the name, such as ecf:ParticipantID or ecf:ParticipantEntityID.

In retrospect, J.Cabral may have been moving in this direction previously. In WD 6, there was a new element, ecf:FilerIdentification, had been introduced and was intended to replace ecf:FilingPartyID, ecf:FilingAttorneyID, nc:PersonOtherIdentification and nc:OrganizationOtherIdentification. Although ecf:FilerIdentification may not be identical to ecf:ParticipantEntityID, it may be similar in concept.

* Relocate the element (e.g. ecf:ParticipantEntityID into the entity element to which it is associated (e.g. as a sub-element). For example, if the element is an attorney element such as j:CaseRespondentAttorney, then do not make the ecf:ParticipantEntityID available in j:CaseRespondentAttorney/j:CaseOfficialAugmentation, instead provide ecf:ParticipantEntityID in j:CaseOfficialAttorney/nc:RoleOfPerson/ecf:PersonAugmentation (i.e. strike ecf:AttorneyID in j:CaseOfficialAugmentation, and replace ecf:FilingPartyID with ecf:ParticipantEntyityID in ecf:PersonAugmentation; similar changes would need to be made for organization, and for item, ecf:ParticpantEntityID would need to be added to ecf:ItemAugmentation).

The role aspect of the ID element is not needed because the entity to which the ecf:ParticipantEntityID is associated, is known to be an attorney, because the entity (in this case a person), is inside of j:CaseRespondentAttorney, which is an attorney element.

* Remove ecf:FilingAttorneyID from ecf:DocumentAugmentation.

Although there is still a need to be able to identify the attorney (or any other entity, such as judge or party) who is filing the document, this would be accomplished using ecf:DocumentFiler.

* Remove ecf:FilingPartyID from the message metadata (e.g. filing:FilingMessage, ecf:RecordDocketingMessage, NotifyDocketingComplete, etc.)

Although the need to know which participant is responsible for the filing still exists, this would be accomplished using ecf:DocumentFiler and not ecf:FilingPartyID (or even its replacement ecf:ParticipantEntityID). The participant ID value would be available as ecf:DocumentFiler/nc:EntityPerson/ecf:PersonAugmentation/ecf:ParticipantEnityID.

1. **Submitter ID**

The definition for ecf:ServiceRecipientID is:

“A unique identifier assigned by the filing assembly MDE for the person who is managing the interface between the filer and the filing assembly MDE. This person will receive secondary service on behalf of the filer. This is also the submitterID for filings in this case, and asynchronous responses to filings.”

The term ‘submitterID’ has not been previously addressed. There is no definition in the Terminology section 1.1.

Is the submitterID contained within nc:DocumentSubmitter, such as:

Filing:FilingMessage/nc:DocumentSubmitter/nc:EntityPerson/ecf:PersonAugmentation/ecf:/FilingPartyID ?

The implications of this element definition are not clear. Clarification is required before correction (if any) can be suggested.

1. **Attorney Discipline Example**

The example above are a new FilingMessage example constructed for consideration by the sub-workgroup to illustrate participants with multiple roles.

This example is provided as: AttyDiscipline-RvFR.xml

This example employs a mixture of both content references and element references for Filer/Attorney IDs.

1. **Docket Example**

Some revisions, both corrections and improvements have been made to the docket.xml example. Further revisions will be required once the use of ecf:FilingAttorneyID and ecf:FilingPartyID is clarified.

The revised version is attached as my-docket.xml