



Wisconsin Clerks of Circuit Court Association

Serving Wisconsin Courts

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Re: Petition 14.03 (Electronic Circuit Court Filings)

Honorable Justices of the Supreme Court:

Secretary

TINA McDONALD
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Thank you for the opportunity to provide comment on Rules Petition 14.03, scheduled for public hearing on March 17.

The Wisconsin Clerks of Circuit Court Association strongly supports the statewide implementation of mandatory electronic filing. Many clerks of court have already made the move to largely paperless operations and have enabled e-filing for civil, small claims and family cases, but have been frustrated by the relatively low rate of participation from the private bar and other agents who are the most prolific filers of these types of actions.

Treasurer

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Research published by the National Center for State Courts, in partnership with the New Hampshire Judicial Branch notes that "jurisdictions that implement e-Filing report voluntary or permissive participation levels peak at 15% while under mandatory rules participation goes up to 97%.¹ In order to ensure that Wisconsin courts fully realize the inherent efficiencies that come along with electronic filings and the creation and maintenance of fully electronic records, making e-filing mandatory for all but self-represented litigants is a necessary step.

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The Clerks' Association has tremendous confidence in the expertise of the management and staff of the Consolidated Court Automation Program to maintain a robust e-filing system. Our only continuing concern is that CCAP continues to receive the necessary funding to continuously improve the e-filing system for all its users, and that all of our circuit courts are allocated the necessary scanning hardware to be successful with the transition to a fully paperless operation.

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Sincerely,

Carlo Esqueda
Dane County Clerk of Circuit Court
President, Wisconsin Clerks of Circuit Court Association

¹ "New Hampshire e-Court Project e-Court Issues and Choices, Part 1," by Peter Caradonna and James McMillan.