

STANDARDS AND PRINCIPLES FOR AN ELECTRONIC RECORD

STANDARDS - Requirements for an Electronic Record

1 Application and Testing

In courts electing to make the “electronic record” the official court record, the chief judge or presiding judge and clerk of that court shall apply to the Supreme Court for approval of any document management system or process.

Approval of any applications under this section shall be contingent upon compliance with all required standards and rules. Once approved, the clerk shall formulate and follow a method to test the e-filing and document management systems before their implementation to ensure that they meet all criteria set out in these Standards and all other standards applicable to the clerk’s duties.

2 Print on Demand

Clerks must maintain the ability to copy and print court papers for use by judges, court personnel, lawyers, litigants and the public.

3 Supplementary Scanning Capability

When the electronic document is the official record, the clerk must ensure that all documents maintained or received conventionally on paper will be scanned and incorporated as part of the official court file.

4 Access to the Electronic Documents

The clerk's on premises public access terminal shall allow for electronic records and electronic documents to be displayed to the public. When the electronic document is the official record, the clerk must make electronic access to the court file available to judges, court personnel, lawyers, and litigants.

5 Judicial Resources

Before the electronic record becomes the official record, judges must be provided the equipment, software and infrastructure to enable efficient and reliable access to relevant data to conduct and monitor the docket, giving consideration to the needs for speed, ease of navigation, access and training. Further, judges should be able to submit their decisions into the

electronic record directly, and have their decisions and orders securely maintained and communicated to the litigants and other requisite entities.

6 Restrictions on Access

Any document management system or case management system used by a clerk must be capable of restricting access to a court file or electronic documents when required by statute, rule or court order.

7 Electronic Record on Appeal

In counties where the electronic record is the official court record, the court must be capable of creating an electronic record on appeal and making that record available to the reviewing court, court personnel, the lawyers and litigants in the case.

8 Disaster Plan

The document management or case management system used by the court and the clerk shall be governed by the *Emergency Preparedness Standards for the Illinois Circuit Courts*.

9 Document Retention and Archiving

Document retention and archiving shall be pursuant to the Manual on Recordkeeping established by the Court's *General Administrative Order on Recordkeeping in the Circuit Courts*, including production of microfilm, when appropriate. Safeguards shall be implemented to provide current and future access to electronic records by rule or local order.

PRINCIPLES - Best Practices for Electronic Records

1. The clerk and chief judge or presiding judge of the court, or designee, upon application and approval by the Supreme Court, may designate the “electronic record” the official record of court proceedings for any type of civil case and dispense with storage of paper in connection with those cases.
2. The judiciary and court staff should be provided with a separate electronic space to maintain notations or other work product not maintained as part of the official court record.