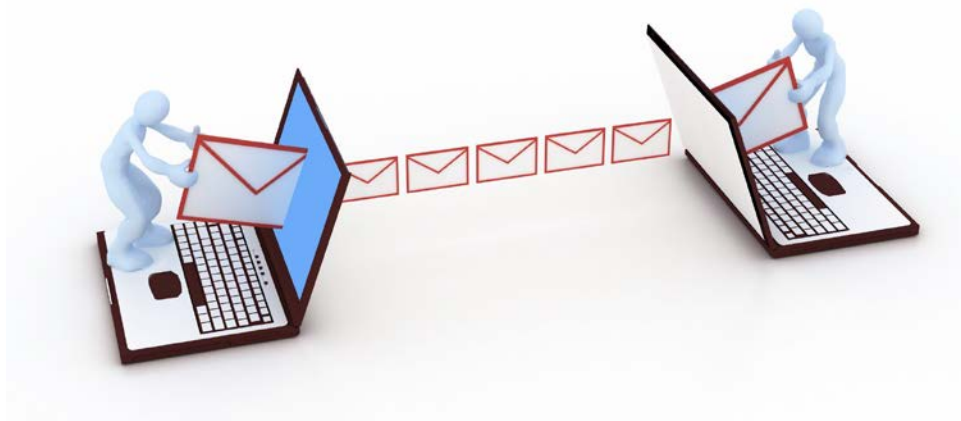


eFiling Updates

Sam Dupree - Assistant Legal Counsel, Oregon Judicial Department

Updates

- ▶ File & Serve upgrade is postponed until June
- ▶ Filers may now eFile Declarations that have been electronically signed by non-filers
- ▶ Filers are temporarily allowed to eFile trial or hearing exhibits for remote trials or hearings

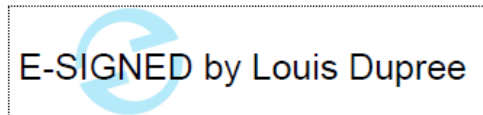
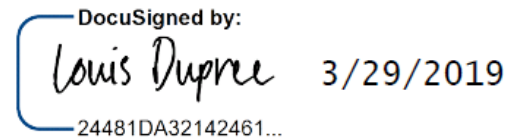


eSignatures on Declarations Signed by Non-Filers

- ▶ CJO 20-008: https://www.courts.oregon.gov/rules/UTCR/CJO_2020-008.pdf
- ▶ Amendments to UTCR 21.090(6), (7), and (8) and repeal of UTCR 21.120
- ▶ Represented Parties and Non-Party Declarants
- ▶ Electronic signature software using a security procedure designed to verify that an electronic signature is that of a specific person
 - ▶ It is sufficient if the software complies with the definition of security procedure in ORS 84.004(14), the Uniform Electronic Transactions Act (many websites for electronic signature softwares will reference this Act)
- ▶ Affidavits must still be signed conventionally, scanned, and submitted

eSignatures

- ▶ eSignatures vary depending on the software used
- ▶ Many will come with audit trails that include the phone number, email address, and/or IP address used by the declarant and the date and time the declaration was signed
- ▶ Some also include electronic certificates to indicate the validity of the signature
- ▶ Different types of eSignatures:

A handwritten signature in black ink, appearing to read 'K. A. Paul'.A handwritten signature in black ink, appearing to read 'Sam Dupree', with a blue horizontal line underneath. Below the line, the text 'Sam Dupree (Apr 1, 2019)' is printed in blue.A rectangular box with a dotted border containing a blue circular icon with a white arrow and the text 'E-SIGNED by Louis Dupree'.A handwritten signature in black ink, appearing to read 'Sam Dupree', with a black horizontal line underneath.A DocuSigned signature block. It features a blue bracket on the left containing the text 'DocuSigned by: Louis Dupree' and the date '3/29/2019'. Below the bracket, the alphanumeric string '24481DA32142461...' is visible.

Filer Certification and Retention Requirements

- ▶ Filer Certification and Retention Requirements were moved from UTCR 21.120 to UTCR 21.090(7) and (8)
- ▶ The Filer Certification is the same: Filer must certify that to the best of the filer's knowledge the purported signer signed the document UTCR 21.090(7)
- ▶ Retention Requirement for ink signatures that are imaged and filers is the same: no less than 30 days.



Retention Requirements for eSignatures

- ▶ For declarations signed by non-filers using electronic signature software, the filer is required to retain the document until the end of the circuit court case - UTCR 21.090(8)(a)
- ▶ This provides the opposing party with an opportunity to challenge the validity of the eSignature
- ▶ If challenged, the court may hold a hearing where the filer may present the audit trail or electronic certificate as evidence



eFiling Exhibits for Remote Trials/Hearings



- ▶ Amended CJO 20-006(7):
<https://www.courts.oregon.gov/rules/Documents/CJO-20-006-AmendedOrderImposingLevel3RestrictionsCourtOperations.pdf>
- ▶ Temporary - Until further order of the Chief Justice
- ▶ Permissive
- ▶ For remote hearings
- ▶ Only for exhibits that may be converted into PDFs
- ▶ Exhibits that cannot be converted to PDF (audio, video, or physical exhibits) or are larger than 25MB will have to be coordinated with the court

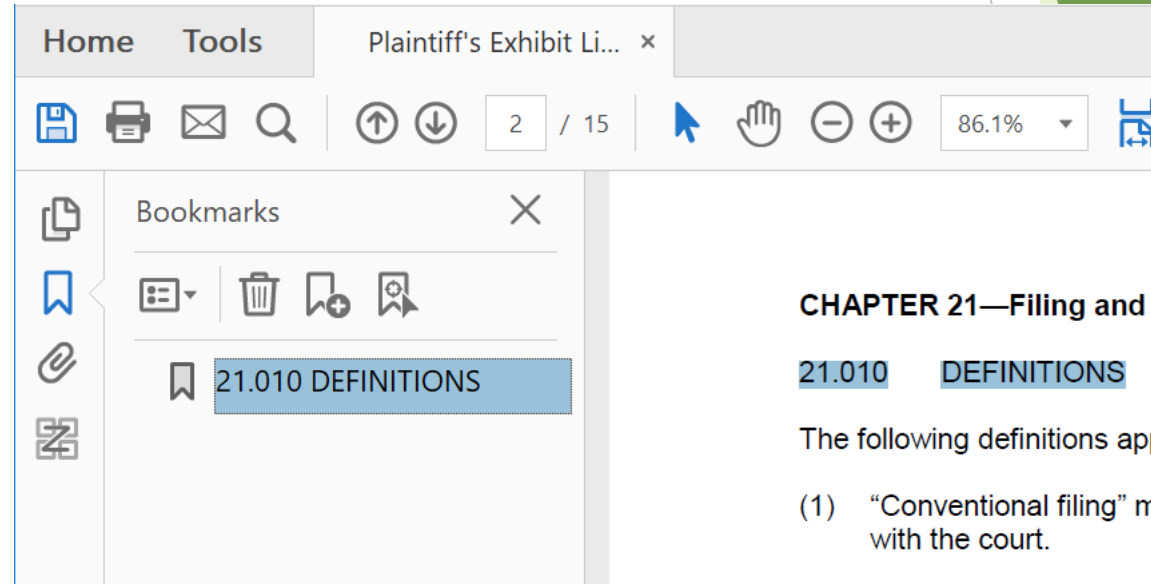
Filing Requirements

- ▶ Submit as one document unless:
 - ▶ Local court orders otherwise
 - ▶ The document would be larger than 25MB
- ▶ Electronically Link the Index
- ▶ Bookmarks
- ▶ Use “Exhibit - EB” Filing Code
- ▶ Select “Confidential” Document Security



Bookmarking a PDF

- ▶ Open PDF
- ▶ Click on Bookmark icon 
- ▶ Highlight beginning of the Exhibit
- ▶ Click  to add a Bookmark



Creating a Linked Index using Document Links

- ▶ Select “View” then “Tools”
- ▶ From “Tools” select “Edit PDF”
- ▶ From the “Edit PDF” toolbar select “Link” and “Add/Edit Web or Document Link”
- ▶ Locate the first entry on the Index
 - ▶ Drag a box around the entire index entry
 - ▶ From the “Create Link” dialog box, select the “Link Type” of “Invisible Rectangle”
 - ▶ Select the “Link Action” of “Go To View” dialog box
- ▶ With the “Go To View” dialog box still open, scroll to the first page of the exhibit and click “Set Link”
- ▶ Repeat for each exhibit

File & Serve Upgrade Postponed

- ▶ Likely until mid-June
- ▶ The only change will be the addition of case subtypes
 - ▶ Largest impact on UTCR 5.180 Consumer Debt Collection cases
- ▶ Working on:
 - ▶ Updated guides and lists
 - ▶ Code clean-up
 - ▶ Consistency across courts

A Few Pointers

- ▶ Add your contact information to a case when filing into it
 - ▶ Sadly, it isn't automatically added (like it is for PACER)
- ▶ You can serve parties without filing, and File & Serve keeps a record

eService Details

Status	Name/Email	Firm	Served	Date/Time Opened	Log
Sent	Louis Dupree l.s.dupree@ojd.state.or.us	OPE	Yes	4/6/2020 11:07 AM	View

- ▶ If you file the same types of cases and documents regularly, templates can save you time

Technical Problems

- ▶ Contact Tyler Technologies: OJD's vendor that supports File & Serve
- ▶ Efiling.Support@Tylertech.com
- ▶ 1.800.297.5377
- ▶ <https://tylertech.egain.cloud/system/templates/selfservice/TYLERTECH/help/customer/locale/en-US/portal/24240000001037/content/PROD-3132/Contact-Us-3132>

Questions?

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