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| **Electronic Communication & Commerce** |
| **Source:** MLA**Doc. No.:** 754**Date:** November 2, 2000**Committee:** [WEBSITE AND TECHNOLOGY](http://www.mlaus.org/committee-profile.ihtml?id=90) **FORMAL REPORT OF THE COMMITTEE ON****ELECTRONIC COMMUNICATIONS AND COMMERCE**1. **Presentation on the Electronic Court Filing System.**

* 1. Terry Vaughn and Douglas Palmer of the Eastern District of New York provided a demonstration and presentation of the court's electronic filing system. Palmer said that by 2003 all federal courts in the United States will be using the Electronic Court Filing System ("ECF") for all cases. In the ECF, a username and password arrangement for registered users is a substitute for a holographic signature on papers filed. Registration is also required in order to elect to receive email notifications of filings in cases in which the registrant is not a party. The court administrators want eventually to make the user password valid nationwide so that registered users can file and access documents in any court. The ECF rules permit a user to disclose his or her password to an assistant for the purpose of filing documents under the user's name. However, the system is designed for hands-on use by judges and attorneys, and direct use will make the most of the ECF's speed and convenience.

* 1. When a document is filed in the ECF, an email is automatically sent to the judge, the magistrate and all parties. The email will contain the URL of the document filed, so users may view the document simply by clicking on the URL. The email options for registered users are very flexible, *e.g.*, a user may enter several email addresses to which notices of filings should be sent, including the user's weekend email address and addresses of persons who are not registered users, such as clients, associates, paralegals, *etc.*

* 1. Unfortunately, the US Marshal's Office is not yet on the system.

* 1. At the present time, use of the system is free of charge. It is likely that a charge of 7 cents per page will be assessed to non-parties for downloading documents and that parties to the case will be permitted to download each document once without charge.

* 1. Documents filed in ECF must be in Adobe PDF (or portable document format). Generally, exhibits will be scanned into PDF and filed. Attorneys are permitted to use excerpts from bulky affidavits that are in their possession in an attorney's affidavit, in order to avoid filing the entire attachment, provided that the attorney offers to make the entire attachment available for inspection to all parties.

* 1. It is expected that the Civil Cover Sheet will be converted to an automated form.

DRAFT WEB SITE POLICYThis document is for the purpose of assisting the officers of the MLA and its membership in forming agreement as to the purpose, contents and management of the MLA web site, and recording that agreement.1. **Purpose**. The purpose of the MLA web site is to facilitate communications between the MLA and its members and among members, and to increase the accessibility of MLA written materials to m embers and the public. In addition, if the membership finds the web version of the directory and other materials useable, it may be possible to reduce or eliminate the substantial printing and postage charges paid by the MLA to produce and distribute paper copies of these materials.2. **Structure**. The MLA web site will be hosted by a web site development company, Intercounsel, LLC ("Intercounsel"). Everything viewable on the MLA web site will be accessed on Intercounsel's server (the "Web Server"). A second company, PC Solutions, is serving as the MLA's database developer (the "Developer"). The Developer will maintain the primary records for part of the materials available on the Web Server, namely, Membership, Committees and the billing and payment of dues, on their server (the "Data Server"). W hen there are changes in the data maintained on the Data Server, the Developer will promptly copy those changes to the Web Server.Data which is not maintained on the Data Server will be maintained directly on the Web Server. Initially, this will consist of the Events Calendar, Resource Links, and information about the MLA.[Committee Note: this structure is awkward and prone to errors and delays in updating. It would be preferable to permit members to update their entries by using an online update form. This would require assigning passwords to members to prevent unauthorized changes. Passwords could also be used to restrict access to the Library and the discussion forums (if we implement them in the future). Consideration would have to be given to control of changes in a firm's address because the same address is displayed for all members in that firm. Under this arrangement, the printed directory would be prepared from the data on the website. The data would be flowing from the website to the Developer.]Respectfully submitted,Glen T. Oxton, Chair |