

Preparing for MiFILE in Your Court

In early 2019, the MiFILE standard e-Filing solution will go live in the 37th District Court (Warren), Ottawa County Probate Court, and 22nd Circuit Court (Washtenaw County) with the rest of the state to follow. Courts can aid their transition by reviewing the information in this document.

As MiFILE is implemented, courts will be required to maintain the official court record in electronic format and store documents in an electronic document management system (EDMS) to ensure the documents can be used in the way needed for the required retention period.

An EDMS must comply with the policies and standards established by the State Court Administrative Office (SCAO). Each court must choose whether to use the free MiFILE Cloud document management system (MiFILE Cloud DMS) provided by the SCAO, or purchase its own EDMS.

The information in this document is designed to help courts with their initial assessment in this regard and includes:

- List of MiFile Cloud DMS Features and Functions
- Table Summarizing EDMS Options
- Considerations for Evaluating the MiFILE Cloud DMS versus Local EDMS
- Necessary Hardware and Software Purchases in Addition to EDMS
- Creating an Electronic Image of Court Seal
- Recommended Resources
- Appendix: EDMS Policies and Standards Established by the SCAO

If you have any questions about the information in this communication, please send them to efiling@courts.mi.gov. Click [here](#) for up-to-date information on the statewide e-Filing project.

MiFILE Cloud DMS Features and Functions

The MiFILE Cloud DMS complies with the SCAO's EDMS policies and standards and its system requirements and functionality will be managed at the state level. It will process and store court case-related data only, it cannot be used for other county or city data. The MiFILE Cloud DMS includes standard document management interfaces, including imaging (scanning) capability and provides predefined workflow and case processing tasks. It supports use of electronic court seals. [See minimum hardware and software requirements for the MiFILE Cloud DMS.](#)

Table of EDMS Options

Court Options/Scenarios	Cost Impact	Considerations (Courts with EDMS now)	Considerations (Courts without EDMS)
<ul style="list-style-type: none"> Implement MiFILE Cloud DMS that is part of the MiFILE solution in planned wave 	No	<ul style="list-style-type: none"> No additional DMS integration required May lose workflows from previous DMS Clerk review and document workflow will be combined in one system with MiFILE Cloud DMS MiFILE project does not include migration/conversion of existing electronic documents to MiFILE Cloud DMS 	<ul style="list-style-type: none"> No additional DMS integration required Clerk review and document workflow will be combined in one system with MiFILE Cloud DMS
<ul style="list-style-type: none"> Expand and/or customize MiFILE Cloud DMS 	Yes	<ul style="list-style-type: none"> Court will have to work with ImageSoft after planned implementation time; cannot hold up waves Any customization of the MiFILE Cloud DMS will be at the court's expense 	<ul style="list-style-type: none"> Court may not receive the resources from ImageSoft and the SCAO that they would otherwise receive in the planned wave Any customization of the MiFILE Cloud DMS will be at the court's expense
<ul style="list-style-type: none"> Implement your own court EDMS (not MiFILE Cloud DMS) and integrate with MiFILE 	Yes	<ul style="list-style-type: none"> Integration may require more effort from court if ImageSoft has not worked with system before (see MiFILE Integration Guide) Clerk review and document workflow will not be combined in one system Will keep existing workflows Would provide ability to add workflows; although it would be at the court's expense, the court would not be restricted by statewide functionality Could integrate with the local/county EDMS to implement workflow with other local agencies 	<ul style="list-style-type: none"> Integration may require more effort from court if ImageSoft has not worked with system before (see MiFILE Integration Guide) Will require learning two systems; one for clerk review and one for document workflow Would provide ability to add workflows; although it would be at the court's expense, the court would not be restricted by statewide functionality Could integrate with the local/county EDMS to implement workflow with other local agencies
<ul style="list-style-type: none"> Implement local/county (not statewide) version of OnBase 	Yes	<ul style="list-style-type: none"> ImageSoft has done this integration before May require learning new system for document workflow Would provide ability to add workflows at the court's expense, but court would not be bound by statewide functionality 	<ul style="list-style-type: none"> ImageSoft has done this integration before Will require learning two systems; one for clerk review and one for document workflow Would provide ability to add workflows at the court's expense, but court would not be bound by statewide functionality

Considerations for Evaluating the MiFILE Cloud DMS versus Local EDMS

The following table is designed to aid in your assessment and evaluation of the MiFILE Cloud DMS versus a local EDMS. If you are using your own EDMS, see the integration guide posted here: <http://www.mifile.info/integration/>.

Considerations for Evaluation	State EDMS	Local EDMS
Court is currently storing and managing electronic documents	✓	✓
Prefer an EDMS shared with local government (county or city)		✓
Prefer an EDMS for managing court case-related data	✓	
Complies with standards established by the SCAO	✓	?
Current document processing/workflow is relatively standard	✓	
Current document processing/workflow is customized		✓
Direct integration between EDMS and case management system	✓ ¹	✓
File plan, folder, and metadata components are predefined	✓	
Prefer ability to control file plan, folder, and metadata components		✓
Court has an IT department capable of maintaining an EDMS	✓	✓
Court does not have an IT department	✓	
Prefer to start small and reassess need for added functionality or control	✓	

Additional Hardware and Software Purchases

Beyond the hardware and software components of an EDMS, courts will also need to purchase equipment and technology for capturing, accessing, and handling electronic documents. These tools are necessary for both staff and the public and include:

Public Access and E-Filing Work Stations

Public Access: Whether e-Filing is implemented or not, when a court's public records are only available electronically, the court must provide a means for the public to view those records, while safeguarding nonpublic and confidential information. This may be accomplished by a publicly accessible computer without Internet access.

E-Filing Work Stations: A public-access computer with an attached scanner will serve as a work station for e-Filing, which may be necessary if a court wants to mandate e-Filing for all filers. Additional details about mandating e-Filing will be available before the statewide roll out begins. For courts that plan to provide access to e-Filing on location, an e-Filing work station computer should be placed in an area near the clerk's counter so that the clerk staff can assist

¹ This would enable a court to view documents from the CMS or to view CMS data from the EDMS. A custom integration would be required. For the MiFILE Cloud DMS, this will result in additional costs.

the public in their use of the computer. An e-Filing work station computer must be connected to the Internet but it does not need to have access to the court's network. See <http://www.mifile.info/mifile-optional-components/> for updates.

A common work station computer configuration consists of the following primary components:

- Miniature computer that can run a modern web browser
- Flat screen monitor
- Keyboard/Mouse
- Low-volume document scanner

Staff and Judicial Work Stations

Courts will need adequate and appropriate computer workstations in the courtroom, in chambers, in the clerk's office, and in other locations throughout the court. Certain features are more desirable or necessary than others depending on the needs of the individual. For example, a judge may want a touch screen monitor for viewing and handling documents, a courtroom may benefit from signature pads for parties to sign documents, or varying scanner volume and speed may be necessary for different areas of the court. Although these and other features may be desirable, they are optional for an optimal end-user experience. At a minimum, most workstations should include:

- Computer (with Windows 10 operating system or higher)
- Dual flat screen monitors (for example, one for accessing the case management system and another for accessing the EDMS)
- Keyboard/Mouse
- Access to a scanner and printer or a multi-function device

Determining Hardware and Software Needs

The following questions are designed as a starting point for your initial assessment of hardware and software needs in an electronic court environment. We recommend that courts start with the minimum until e-Filing has been in place a while and reassess additional needs. We also recommend that courts use open standards and off-the-shelf software as much as possible to simplify expansion.

Considerations for Assessing Needs
How many courtrooms need a computer for the judge and court staff?
What kind of computer workstation does each staffperson need?
How many courtrooms need a printer, scanner, or facsimile machine?
Where will document processing/workflow be accomplished (courtroom, clerk's office, chambers)?
Where will documents be scanned and by whom (courtroom, clerk's office)?

Will physical changes to the courtroom need to be made to accommodate technology, such as electrical outlets, structural changes, Internet connection?
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Will evidence be presented digitally in the courtroom?
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Will your court be providing equipment onsite for the public to use for e-Filing or do you plan to use other local resources?

Making Arrangements to Create Electronic Image of Court Seal

If you do not already have an electronic image of your court seal for use on electronic documents, you should make arrangements now for creating one. You may want to start by contacting the company that produced your court's hand pump or electric embosser about producing an electronic image of your court's seal. If the company is unable to provide an electronic image of your court's seal, provide a clear, good quality image of your seal stamped or embossed on paper for use by your IT department, a graphic artist, or company that can produce the seal in a graphics format. The court seal must adequately identify the court and meet the following requirements:

- Graphics Format: PNG or TIFF
- Size: 1 ¼ to 1 ½ inch diameter circle, 144x144 pixels; cannot be resized on the document
- Grayscale (no color and no solid black)
- Orientation: Seal outlines should touch the edges of the image; whitespace around the outside will lead to sizing precision issues

Recommended Resources

1. Developing an Electronic Records Preservation and Disposition Plan: Resource Bulletin
<https://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/JTC%20Resource%20Bulletins/6JTC%20E%20Records%2010%20FINAL.ashx>
2. Electronic Records Management Guide for the Judiciary
https://nacmnet.org/sites/default/files/NACM_ERM_GuideFINAL.pdf
3. The NDSA Levels of Digital Preservation: An Explanation and Uses
https://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/JTC%20Resource%20Bulletins/Webinar%20Materials/eRecords/Handout%203%20-%20NDSA_Levels_Archiving_2013.ashx
4. Department of Defense 5015.2 Standard
<http://jtc.fhu.disa.mil/projects/rma/downloads/p50152stdapr07.pdf>
5. JTC Resource Bulletin, Making the Case for Judicial Tools
<https://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/JTC%20Resource%20Bulletins/Judicial%20Tools%201%200%20FINAL.ashx>
6. JTC Resource Bulletin, Implementing Judicial Tools
<https://www.ncsc.org/~media/Files/PDF/About%20Us/Committees/JTC/JTC%20Resource%20Bulletins/Judicial%20Tools%20II%2003-14-2016%20FINAL.ashx>

Appendix – EDMS Policies and Standards Established by the SCAO

Overview of Policies and Minimum Functional and Procedural Standards for an EDMS

Requirement Area	Detail
General Functional Standards	<ul style="list-style-type: none"> • Ability to capture, manage, and retrieve records • Ability to implement and maintain metadata tagging • Ability to maintain record integrity • Ability to provide open standards interfaces, including accepting and filing records from producing applications and the routing of documents • Ability to support applicable security standards and activity audit tracking • Ability to handle document disposal
Document Retention and Disposal Policies	<ul style="list-style-type: none"> • Electronic documents must be maintained for their full retention periods • Electronic case documents with long-term retention requirements must be migrated to new file formats before technology becomes obsolete • Electronic case documents must remain accessible as hardware and software technology changes; IT staff must migrate electronic documents whenever new technology is upgraded or changed • Electronic case documents that are not transferred to Archives of Michigan must be disposed by overwriting or degaussing • Backup capability must exist and must ensure synchronization between all record category, file plan, folder, record metadata, and content repositories

Authenticity of Electronic Case Documents and Data:

An electronic case record (both data and documents) is useful only if it continues to exist in a form that allows it to be retrieved, and, after retrieved, provides reliable and authentic evidence of the activity that produced the record. This is referred to as digital continuity or record integrity.

The authenticity of an electronic record can be demonstrated by verifying that:

- the right document and/or data was put into storage properly;
- either nothing happened in storage to change this document and/or data or, alternatively, any changes in the document and/or data over time are insignificant;
- all the correct documents and/or data and only the correct documents and/or data were retrieved from storage;
- the processing was executed correctly to output an authentic reproduction of the record;
- appropriate security technology and procedures are in place and followed by all;
- activity audit tracking is in place for both the system and documents.

Authenticity can also be demonstrated by verifying that security and auditing are in place and that the files and metadata are consistent with what was originally stored by the EDMS. To save metadata about electronically born records and to maintain as much functionality as possible, we recommend that electronically born records be retained in their native format until it is necessary to migrate the records (see Maintenance of Electronic Case Data and Documents for Retention Period below for details).

EDMS Requirements:

- Courts are required to store electronic case documents in an EDMS to ensure the ability to use information in the way needed, for its retention requirements. This requires active management of information through change so that it remains complete, available, and usable in the way needed.
- As electronic filing is implemented, courts can choose the MiFILE Cloud DMS or purchase their own systems. Digital imaging systems that are used to produce electronic images of paper documents through use of scanning equipment are not necessarily electronic document management systems.
- Courts must not store electronic case documents on an office drive; the EDMS will typically have its own server(s) with the features described in this document, including security and activity audit tracking.
- A court that purchases its own EDMS or that uses a digital imaging system to store electronic case documents must comply with these standards, must back up the EDMS regularly, and must have a disaster recovery plan in place.

1. EDMS Functional Standards (Required):

a. General Requirements

- 1) Ability to capture, manage, and retrieve records
- 2) Ability to implement and maintain metadata tagging
- 3) Ability to maintain record integrity
- 4) Ability to provide open standards interfaces, including accepting and filing records from producing applications and support to workflow
- 5) Ability to support applicable security standards and activity audit tracking
- 6) Ability to handle document disposal

b. Specific Requirements

1) Capturing, Managing, and Retrieving Records

- a) Ability to create, edit, and delete file plan components and identifiers

Mandatory File Plan Components

- Record category name
- Record category identifier
- Record category description
- Disposition instructions
- Disposition authority
- Transfer to Archives indicator

- b) Ability to create, edit, and delete record folder components and identifiers

- c) Ability to create, edit, and delete metadata elements or attributes

Mandatory Record Metadata Components

- Record identifiers, marking, and indicators
- Record descriptors (media type and format)
- Record dates
- Producing application and version, and PDF version

- d) Ability to capture and populate metadata
 - e) Ability to capture and store transmission and receipt data from e-Filing system
 - f) Ability to capture (scan) documents
 - g) Ability to file, annotate, and redact
 - h) Ability to search, view, copy, save, store, and print
 - i) Ability to schedule records for retention and disposal
 - j) Ability to associate attributes of a record folder to a record
 - k) Ability to support all SCAO-prescribed electronic formats
 - l) Ability to store e-mails
 - m) Repository (direct access device on which electronic records and metadata are stored)
 - n) Storage space for nonactive records
 - o) Storage availability and monitoring (including offsite storage)
- 2) Maintaining Integrity
- a) Ability to control access
 - define, update, assign permissions
 - view, modify, copy, link, print records and metadata
 - prevent unauthorized access to repository
 - export, backup, and remove audit files
 - b) Addition, designation, and version control, including ability to revert to previous document versions
 - c) Audit functions
 - Ability to log actions, date, time, object identifiers, and user identifiers for user accounts, user groups, records and record folders, associated metadata elements, and file plan components
 - Audit analysis functionality
 - d) Ability to read and process stored records in same manner as original by using any of the following methods
 - backward compatibility
 - maintaining hardware and software used to create or capture the record
 - maintaining hardware and software capable of viewing the record in its native format
 - migrating the record to a new format before the old format becomes obsolete
 - e) Safeguard/lockout/timeout features
 - f) Ability to backup stored records
 - g) Ability to store backup copies off-line and at separate location(s) to safeguard against loss
 - h) Data integrity and disaster recovery capability

- i) Rebuild capability; necessary for reconstructing records management environment after a disaster.
 - 3) Records Disposal (includes transfer and destruction)
 - a) Ability to schedule records for retention and disposal (records management feature)
 - b) Ability to secure access, maintain context within a record series, and execute disposition instructions for all records in the system (records management feature)
 - c) Ability to preserve a record's required metadata (records management feature)
 - d) Ability to transfer required electronic documents and any associated metadata to the Archives of Michigan at the end of the relevant retention periods prescribed in the retention schedule. Court must contact Archives for guidance.
2. Maintenance of Electronic Case Data and Documents for Retention Period:
 - a. Courts are required to maintain electronic case data and documents for their full retention periods as prescribed in the retention schedule.
 - b. Most electronic case data and documents will be kept longer than the original technology that was used to create them and new technology is not always compatible with older technology. Long-term retention of electronic records must be achieved in a manner that protects the records from degradation, loss of content, or inability to access. Therefore, in order to ensure electronic case documents can be used in the way needed for as long as needed, the documents should not be stored in their original software format and on their original storage media for their entire retention period.
 - c. Courts must ensure that all electronic case documents with long-term retention requirements are migrated to a new file format before the technology becomes obsolete. Long-term retention means the life of an electronic record is expected to be longer than the life of the technology used. This is generally about 10 years, but it can vary.
 - d. Courts are also responsible for ensuring that all electronic records remain accessible as technology is upgraded or changed. Each time technology upgrades, courts should inform their information technology staff of the need to migrate their electronic case data and documents to the new technology.
 - e. Backup capability must ensure synchronization between all record category, file plan, folder, record metadata, and content repositories. Backup copies must be destroyed in accordance with the retention schedule. Backup processes should be tested to ensure they are copying all of the records and data as intended.

EDMS Recommended Features:

- Document imaging and workflow integration to support the creation and management of electronic documents and related data, and to maximize productivity.
- Retrieval assistance and free-text search (not just search capability of metadata).

- Ability to make global changes to record category names, record category identifiers, and disposition components.
- Ability to reorganize file plan and automatically propagate the changes from the reorganization.
- Ability to bulk load a file plan, electronic records, and record metadata.
- Interfaces with case management system, e-mail, word processing, MiFILE, and other applications.
- Ability to write and generate reports.
- Web capability and viewer.

EDMS Policies:

Any provider of a system that creates, receives, maintains, uses, and disposes of court records, whether at the state or the local level, is prohibited from selling, transferring, or otherwise using those court records, except as authorized by law, Michigan court rule, or the Michigan Supreme Court.

Any Michigan court that enters into a contract with a system provider for an electronic filing system, a case management system, or a document management system that creates, receives, maintains, uses, and disposes of court records shall ensure that the following provisions are included in the contract:

- The provider shall not sell, transfer, or otherwise use a court record, except as authorized by state law, court rule, or the Michigan Supreme Court.
- The provider shall dispose of records in compliance with statutes, court rules, and the standards established by the SCAO.
- If the contract with the provider is terminated, the provider shall ensure that all records are returned to the court or authorized custodian of those records. Duplicate records shall be destroyed in accordance with the standards established by the SCAO and the provider shall execute a signed certificate of media disposition stating that the data has been destroyed in accordance with those standards.

Any Michigan court that shares an electronic filing system, a case management system, or a document management system with the executive branch shall sign a memorandum of understanding, approved by the Michigan Supreme Court, regarding the creation, receipt, maintenance, use, and disposal of court records in that system. An individual court does not need to have a memorandum of understanding if the Michigan Supreme Court has a statewide memorandum of understanding with the executive branch agency that shares the system.

Whenever a court converts from one electronic filing system, case management system, or document management system to another, it must establish policies and procedures that ensure that all records are accessible in their entirety for the retention period of the related records, as prescribed in the retention schedule.

Any person who retains possession of and refuses to deliver any records of the courts of Michigan upon demand by the authorized custodian of those records shall be guilty of a misdemeanor, punishable by imprisonment in the state prison not more than 2 years or by a fine of not more than \$1,000. MCL 750.491.

An electronic case management system and document management system must be capable of transferring required data, electronic documents, and any associated metadata to the Archives of Michigan at the end of the relevant retention periods prescribed in the retention schedule and in the manner prescribed by Archives and the SCAO.