

ECOURT INITIATIVES IN THE FEDERAL COURT

The Federal Court has developed an eCourt Strategy which aims to take advantage of developments in technology to promote and enhance access to court services. Two initiatives currently being developed and implemented as part of the eCourt Strategy are an on-line forum known as eCourt and stage 2 of the court's electronic filing project.

eCourt

The Federal Court launched the pilot of eCourt on Friday 23 February 2001 making it the first Court in Australia to hold directions on-line. The eCourt is a virtual courtroom that will assist in the management of interlocutory matters and which will allow for directions and other orders to be made on-line. Via eCourt the Court may receive submissions and affidavit evidence and make orders as if the parties were in a normal courtroom. There is also scope for eCourt to be used in relation to mediations.

During the pilot period, access to the eCourt will be limited to the parties and their representatives involved in cases selected by the Judges participating in the pilot.

The technical arrangements for the eCourt, and the eCourt Protocol that governs the use of the on-line will be reviewed in light of the pilot and other feedback the Court receives.

In the meantime, eCourt can be accessed via the Court's homepage. If you have any questions or comments about the eCourt, the protocol or any related issue please contact John McDonough on 08 9268 7132

Electronic filing in the Federal Court

The Federal Court has introduced the second stage of its electronic filing project. Recent amendments to the Federal Court Rules mean that documents may be electronically filed or lodged and, where a party has nominated an email address for service, documents other than originating process may be electronically served.

The amendments also provide that, where a document (other than an affidavit) must be signed, a facsimile of the signature may

be affixed on the document by electronic means. Alternatively, a scanned image of the signed document may be used. An affidavit may only be filed electronically by sending an image of the signed affidavit.

Stages 3 and 4 of this project are critical components of the overall eCourt strategy and include advanced functionality between the Court and parties with regard to their cases. The final stages will allow authorised parties to view certain information stored within the Federal Court (principally in the integrated Case Management and Document Management systems) and exchange information between their systems and the Federal court. The final stages will permit on-line access for filing, viewing and retrieval of electronic documents, and retrieval of information about cases, including the ability to search court databases using search engines and hypertext links. The final stages of the project are expected to be completed by the end of 2002.

Electronic filing and lodgement

A document may be filed or lodged in the Court electronically by using the e-filing facility at <http://www.e-filing.fedcourt.gov.au>. This site may also be reached by going to the Court's homepage at <http://www.fedcourt.gov.au>.

Documents to be filed or lodged electronically must be:

- capable of being printed with the content and in the form in which it was created;
- no more than 50 pages long (including any attachment); and
- in Rich Text Format (RTF), Portable Document Format (PDF), Image Format (TIF), Graphical Information Format (GIF), Joint Photographic Experts Group (JPG) or Word.

Any filing and other fees may be paid electronically by credit card (VISA, MasterCard or BankCard).

Once a document is accepted by the Court, the Registry will electronically affix the Court's stamp to, and enter the relevant details on the document. The document

will be returned to the sender by email or, if the sender so requests, facsimile transmission, post, document exchange or be held for collection by at the registry. Note that the documents are returned electronically in PDF format. If you do not have Adobe Acrobat Reader which is required to read PDF documents, the free plug in software can be downloaded from <http://access.adobe.com/>

If the stamped document is returned by email or facsimile transmission, copies of it may be printed for the purpose of service on the other party or parties. If the document is to be returned by post or held for collection from the registry, the person filing or lodging the document will need to specify the number of copies of each document they will require. There is a copying fee of \$1.00 per page.

Service

An application or other originating process must still be personally served on the respondent, even if filed with the Court electronically.

However, the Rules have been amended to allow a party to provide the Court and other parties with an email address for service, to which documents other than originating process may be sent. Where an email address for service has been provided by a party, documents other than originating process may be served on the party by sending them to that email address.

Frequent users

A system of registration for frequent users has been introduced to further increase efficiency. Once registered, users are provided with a user name and password and will not be required to complete the cover sheet details.

Further information

For general information regarding electronic filing, please Contact Deputy Registrar Philip Kellow, on (02) 9230 8336 or Catherine Sullivan on (02) 92308556. For specific information regarding electronic filing in a current or proposed proceeding in the Northern Territory District Registry, please contact Kay van Brederode on (08) 8941 2333.