



# Self-represented efilings: surveying the accessible implementations



**National  
Center for  
State Courts**

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## Introduction<sup>1</sup>

Courts are public institutions and must be accessible to anyone who needs to use them. This is true whether the court user is self-represented, not technologically sophisticated, not a native English speaker, disabled, unable to afford fees, or some combination.<sup>2</sup> Self-represented litigants (SRLs) are—by far—the largest number of state court users.<sup>3</sup>

Given this context, what are the “equal justice” considerations when electronic filing is viewed as a “court service” access point that must be accessible to all potential users?<sup>4</sup>

The National Center for State Courts (NCSC) studied self-represented access to the non-federal court e-filing implementations that have been in place in (most of) the 50 states and the District of Columbia as of spring 2022.

Given the number of new implementations, expansions, or re-launches over the past decade, this survey highlights self-represented accessible features: equal access, fee-waivers, accommodating the unbanked, self-help resource availability, non-English resources, and disability-related accommodations. (Appendix A)

Court management, technologists, procurement officers, clerks, and other stakeholders are encouraged to collaborate and review this survey. Use it to ask critical questions: Does our existing system meet these standards? What can be done to improve? Who will own this responsibility? How can we leverage contracting and procurement to advance these best practices?

If you would like help navigating any of these considerations, please reach out to NCSC’s Access to Justice team at [www.ncsc.org/a2j](http://www.ncsc.org/a2j).

## Background

Lowering costs and improving efficiency in large, multi-party tort cases motivated the design and funding methods for electronic filing in several state and local court systems.<sup>5</sup> Other state courts saw e-filing as a way to cut costs and work more efficiently when the 2008 recession hit state budgets hard.<sup>6</sup> No matter the original spark, SRL-access needs were often overlooked.

Others, however, have kept the equal-access need front-and-center. They have been advocating for inclusive system design—appreciating that the judiciary risked creating a structural-access bias by implementing electronic filing systems designed by and to benefit the traditionally sophisticated court user to the detriment of the self-represented and other public users (who represent a far greater number of court users than attorneys).

**2004** The American Bar Association House of Delegates encouraged courts to consider the needs of the indigent, self-represented, non-English speaking, or illiterate persons when developing and implementing electronic filing when it adopted Standard 1.65.<sup>7</sup>

**2008** The Self-Represented Litigation Network warned that e-filing systems can increase barriers for the self-represented litigants if the systems are not designed to be easy to use for everyone.<sup>8</sup>

**2013** NCSC, the Legal Services Corporation, and the Self-Represented Litigation Network warned courts about program risks if self-represented issues were left out of their e-filing requests for proposals (RFPs):

. . . [I]f these issues are not addressed in the RFP and in the final contract, the costs of any additional modifications needed to accommodate the self-represented will be perceived to be additional costs beyond the original scope. The risk is then that the system is either deployed without any changes needed to provide access for the self-represented, or that it is deployed as an attorney-only system.<sup>9</sup>

**2018** The Institute for the Advancement of the American Legal System offered court leaders similar contracting counsel:

Even though vendors will often agree in their contracts to be responsible for supporting self-represented litigants, they will insist on implementing services for higher-revenue generating clients first and will attempt to use the same interface for self-represented litigants, blaming them for their inability to use it in the same way as their high-volume customers. *This can no longer be the standard operating procedure if courts are to make better use of technology for their customers.* (emphasis added)<sup>10</sup>

Framed by these SRL-access needs, this resource summarizes the current state trial court efileing implementations.

### **SRL accessibility: the ability to efile**

*Why it matters.* All litigants, especially those who are low-income and unrepresented would benefit from the ability to file legal papers remotely at any time, day, or night.<sup>11</sup> Most jurisdictions agree and SRLs often enjoy the same ability to efile as attorneys in the trial courts that offer electronic filing.

*Survey.* Self-represented litigants are *not* allowed to efile in eight states, however: Kansas,<sup>12</sup> Mississippi,<sup>13</sup> Missouri,<sup>14</sup> Montana,<sup>15</sup> New Jersey,<sup>16</sup> New Mexico,<sup>17</sup> South Carolina,<sup>18</sup> and South Dakota.<sup>19</sup>

Missouri plans for SRL efileing at a later phase. Hopefully, the other states will follow. Because efileing's benefits can be great, courts should keep working to simplify their systems to encourage all to efile. Barring SRLs from efileing burdens them in ways attorneys are not.<sup>20</sup>

### **SRL accessibility: fee-waiver requests accommodated within efileing system**

*Why it matters.* It is a best practice for the electronic filing system to accommodate filers who request a fee waiver.<sup>21</sup>

*Survey.* At least 23 states accommodate fee-waiver requests in their efileing platforms: Alaska, Arkansas, Delaware, Florida, Georgia, Hawai'i, Idaho, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Mexico, North Carolina, South Carolina, Texas, Utah, Vermont, West Virginia, and Wisconsin.

## **SRL accessibility: cash-paying efilers accommodated within efilings system<sup>22</sup>**

*Why it matters.* Electronic-filing design has traditionally assumed that filing fees will also be paid electronically—like by credit card or bank transfer. Not all court users, however, have credit or debit cards. Or bank accounts. Cash-only is their life. Efilings systems should make it as easy as possible for filers to make any required payments regardless of the filer’s participation in the online economy.<sup>23</sup>

*Survey.* At least seven states accommodate cash-paying efilers: Hawaii,<sup>24</sup> Idaho,<sup>25</sup> Iowa,<sup>26</sup> Maine,<sup>27</sup> Missouri,<sup>28</sup> Wisconsin,<sup>29</sup> and Wyoming.<sup>30</sup>

Some solutions allow for future, in-person cash payment at the court or a community location, like a convenience store. Others permit payment to be made after the efilings is submitted. And some allow users to create a debit account by depositing money with the court before the efilings.

## **SRL accessibility: legal self-help resources included within the efilings platform**

SRL filers often benefit from guided online questions and many states offer that type of efilings solution.<sup>31</sup>

At the same time, the professional bar’s efilings needs are usually functionally different from the self-represented.<sup>32</sup> This is why some states offer more than one efilings solution. “An interface designed for self-represented litigants will prove to be completely unsatisfactory for high-volume users and vice versa, given the unique context and needs of these very different users.”<sup>33</sup>

*Why it matters.* No matter the platform audience, many courts have also created self-help legal resources to explain how to use their efilings solution as a way to curate a user-friendly efilings experience for SRLs. This is a promising practice and could be made even better by including such information within the platform itself. This would enable users to access help in the moment and on the topic they need, without having to navigate a separate webpage or document.

*Survey.* At least 16 states include legal self-help links with their efilings platform.

## **SRL accessibility: non-English resources available for efilers**

Many states have not invested the effort to make e-filing available for those who are not English proficient. Full stop.

*Why it matters.* State courts have been reminded over the years that “[r]egardless of English proficiency, individuals need to understand and have access to judicial proceedings and court operations.”<sup>34</sup> And the need for *efiling*-related support systems for those with limited English is a reoccurring access-to-justice reality-check. Consider these recent public comments directed to a state court e-filing project manager and whether similar concerns exist in your implementation:

For [those] not proficient in English, the prospect of navigating the legal system is daunting, especially for those who have no choice but to represent themselves. Any e-filing program should ideally be provided in the primary languages spoken in [the state]. At a minimum the notice to opt-in must be provided in each of these languages so litigants can make an informed decision on whether to participate. The notice should make it clear that it is not mandatory and inform them of what is required to successfully e-file.<sup>35</sup>

For consumers who are limited English proficient (including deaf people whose first language is ASL) there is insufficient language support and the website is not fully accessible to people who are disabled. The only video on e-filing I found on the court website had no captions (in English or otherwise), no sign interpretation, and no audio descriptions for the blind or those with low vision. To the extent that the website may be readable using programs for the blind, the technical language used is not conducive to promoting understanding.<sup>36</sup>

It has been encouraged that “the systems should be built so that users can, whenever possible, check boxes in their own language, and have the system produce the checked text in both the user’s language and in English. \*\*\* With respect to language access, it will not always be the case that complex situations can be captured with check boxes. In such circumstances, hybrid systems may offer the best solutions.”<sup>37</sup>

*Survey.* At least three states have started the LEP-friendly e-filing journey differently.

Part of California's efilng website can accommodate those who prefer Spanish.



Figure 1: Image of the California SRL efilng home page in partial Spanish.

Illinois courts created a written [Spanish flyer](#) about efilng<sup>38</sup> and an English-Spanish how-to [online guide](#) about how to successfully efile.<sup>39</sup>

Michigan Legal Help (a legal-information and self-help nonprofit) similarly hosts a separate [page](#), in Spanish, about how to efile.<sup>40</sup> Courts should make every effort to meet this language-access obligations and can mirror this, or the Illinois approach, with their efilng implementations.

### **SRL accessibility: disability accommodations for efilers**

*Why it matters.* The federal Department of Justice hosts [online guidance](#) for how state and local governments can ensure that their websites are accessible to people with disabilities as required by the Americans with Disabilities Act.<sup>41</sup>

Website-accessibility barriers can include:

- Poor color contrast.
- Use of color alone to give information.

- Lack of text alternatives (“alt text”) on images.
- No captions on videos.
- Inaccessible online forms.
- Mouse-only navigation (lack of keyboard navigation).

Several different [web accessibility evaluation tools](#) can help with checking accessibility.<sup>42</sup>

*Survey.* At least seven states include accessibility information or policies within their efilng platform.

### **Unexamined topics**

This summary was based on public-facing information and not private court surveys or direct user testing.

Whether state trial-level efilng systems accommodate limited scope representation situations, embrace plain language,<sup>43</sup> offer real-time and human tech support, or are designed with the smartphone user<sup>44</sup> in mind were topics not studied even though those areas are also of great importance. (Nebraska includes linked instructions about how to efile from an iPhone or iPad.<sup>45</sup>)

And because most systems do not publicize their usage data, this survey did not compare other success metrics courts should measure like:

- Filing volume stats, including breakdowns by filing status, errors, and rejections.<sup>46</sup>
- Help-desk stats and ticket-closing timings.
- Human-centered design, usability testing, and evaluation.<sup>47</sup>
- Efilng user-satisfaction surveys and results.
- Court employee/clerk satisfaction surveys and results.
- Help desk user satisfaction surveys.

Efilng courts must, however, regularly measure and review this information and use it to inform future planning decisions.<sup>48</sup> Stakeholders would also appreciate the information being made public.<sup>49</sup>

## Conclusion

When developing and implementing strategic plans, courts must remain mindful that some users harbor a preexisting deep mistrust of the civil courts. The mistrust can be because of past criminal justice system experiences,<sup>50</sup> because of unclear information about one's legal rights, protections, and how to exercise them in the courts, or because of a past negative experience in the civil courts.<sup>51</sup> *Mistrust can also form from or be exacerbated by perceived technology barriers.*

Court service technology barriers can feed a perception that one's participation in the courts doesn't matter. But public confidence in the courts—and implicitly personal inclusion—always matters. Without it, parties will default to self-help tactics, rather than go to the courts to resolve their disputes and exercise their legal rights.

It remains a best practice for courts to use technology designed to meet the needs of all users and reduce barriers to access. These court users include SRLs, attorneys, community partners, researchers, and the public—together with judges and court staff.<sup>52</sup>

Efiling courts must continue to build on the access-to-justice work of meeting their SRL customers where they are. Work to understand their access needs. And continue to design, test, measure, seek feedback, and refine efilings implementations.<sup>53</sup>

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## Appendix A

The state name links to any available efilings site.

	Statewide / partial trial court efilings	SRLs <i>can</i> efile	Fee-waiver filings accommodated	Cash payers accommodated	SRL legal self-help resources	Non-English resources	ADA-related information
<a href="#">Alabama</a> <sup>54</sup>	Statewide	SRL-yes	Unknown	Unknown	No linked legal self-help	English-only	Unknown
<a href="#">Alaska</a> <sup>55</sup>	Partial	SRL-yes	Yes	Unknown	Linked legal self-help	English-only	Accessibility info <sup>56</sup>
<a href="#">Arizona</a> <sup>57</sup>	Partial	SRL-yes	No	Unknown	No linked legal self-help	English-only	Accessibility info <sup>58</sup>
<a href="#">Arkansas</a> <sup>59</sup>	Partial	SRL-yes <sup>60</sup>	Yes	No	Unknown	Unknown	Unknown
<a href="#">California</a> <sup>61</sup>	Partial	SRL-yes	No	Unknown	Linked legal self-help	Spanish <sup>62</sup>	Unknown
<a href="#">Colorado</a> <sup>63</sup>	Statewide	SRL-yes	No	No	Linked legal self-help	English-only	Unknown
<a href="#">Connecticut</a> <sup>64</sup>	Statewide	SRL-yes	No	No	Linked legal self-help	English-only	Unknown
<a href="#">Delaware</a> <sup>65</sup>	Partial	SRL-yes	Yes	No	Linked legal self-help	English-only	Unknown
<a href="#">District of Columbia</a> <sup>66</sup>	District-wide	SRL-yes	Unknown	No	Linked legal self-help	English-only	Unknown
<a href="#">Florida</a> <sup>67</sup>	Statewide	SRL-yes	Yes	No	No linked legal self-help	English-only	Accessibility Policy <sup>68</sup>
<a href="#">Georgia</a> <sup>69</sup>	Partial	SRL-yes	Yes	No	Linked legal self-help	English-only	Unknown
<a href="#">Hawai'i</a> <sup>70</sup>	Statewide	SRL-yes	Yes	Yes	No linked legal self-help	English-only	Accessibility Policy <sup>71</sup>
<a href="#">Idaho</a> <sup>72</sup>	Statewide	SRL-yes	Yes	Yes	No linked legal self-help	English-only	Unknown
<a href="#">Illinois</a>	Statewide	SRL-yes	Yes	Unknown	Unknown	Spanish <sup>73</sup>	Unknown
<a href="#">Indiana</a> <sup>74</sup>	Statewide	SRL-yes	Yes	No	No linked legal self-help	English-only	Unknown
<a href="#">Iowa</a> <sup>75</sup>	Statewide	SRL-yes	Unknown	Yes	No linked legal self-help	English-only	Unknown
<a href="#">Kansas</a> <sup>76</sup>	Statewide	SRL-no	No	No	No linked legal self-help	English-only	Unknown
<a href="#">Kentucky</a> <sup>77</sup>	Statewide	SRL-yes	Unknown	Unknown	Linked legal self-help	English-only	Unknown
<a href="#">Louisiana</a> <sup>78</sup>	Partial	SRL-yes	Unknown	Unknown	No linked legal self-help	English-only	Unknown

	<b>Statewide / partial trial court e-filing</b>	<b>SRLs can efile</b>	<b>Fee-waiver filings accommodated</b>	<b>Cash payers accommodated</b>	<b>SRL legal self-help resources</b>	<b>Non-English resources</b>	<b>ADA-related information</b>
<b>Maine</b> <sup>79</sup>	Partial	SRL=yes	Yes	Yes	Linked legal self-help	English-only	Accessibility info <sup>80</sup>
<b>Maryland</b> <sup>81</sup>	Partial	SRL=yes	Yes	Unknown	Linked legal self-help	English-only	Unknown
<b>Massachusetts</b> <sup>82</sup>	Statewide	SRL=yes	Yes	Unknown	No linked legal self-help	English-only	Unknown
<b>Michigan</b> <sup>83</sup>	Partial	SRL=yes	Yes	No	No linked legal self-help	Spanish via 3rd party <sup>84</sup>	Accessibility info <sup>85</sup>
<b>Minnesota</b> <sup>86</sup>	Statewide	SRL=yes	Yes	Unknown	Linked legal self-help	English-only	Unknown
<b>Mississippi</b> <sup>87</sup>	Partial	SRL=no	Unknown	Unknown	No linked legal self-help	English-only	Unknown
<b>Missouri</b> <sup>88</sup>	Statewide	SRL=no	Unknown	Yes	No linked legal self-help	English-only	Unknown
<b>Montana</b> <sup>89</sup>	Statewide	SRL=no	Yes	No	No linked legal self-help	English-only	Unknown
<b>Nebraska</b> <sup>90</sup>	Statewide	SRL=yes	No	Unknown	No linked legal self-help	English-only	Accessibility statement <sup>91</sup>
<b>Nevada</b>	Partial	SRL=yes	Unknown	Unknown	Linked legal self-help	English-only	Unknown
<b>New Hampshire</b> <sup>92</sup>	Statewide	SRL=yes	Unknown	Unknown	Linked legal self-help	English-only	Unknown
<b>New Jersey</b> <sup>93</sup>	Partial	SRL=no	Unknown	Unknown	No linked legal self-help	English-only	Unknown
<b>New Mexico</b> <sup>94</sup>	Statewide	SRL=no	Yes	Unknown	No linked legal self-help	English-only	Unknown
<b>New York</b> <sup>95</sup>	Partial	SRL=yes	No	No	Linked legal self-help	English-only	Unknown
<b>North Carolina</b> <sup>96</sup>	Partial	SRL=yes	Yes	Unknown	Linked legal self-help	English-only	Unknown
<b>North Dakota</b> <sup>97</sup>	Statewide	SRL=yes	Unknown	No	No linked legal self-help	English-only	Unknown
<b>Ohio</b>	Partial	unknown	Unknown	Unknown	Unknown	Unknown	Unknown
<b>Oklahoma</b>	None	None	None	None	None	None	None
<b>Oregon</b> <sup>98</sup>	Statewide	SRL=yes	No	No	Unknown	Unknown	Unknown
<b>Pennsylvania</b>	Partial	Varies	Unknown	Unknown	Unknown	Unknown	Unknown
<b>Rhode Island</b> <sup>99</sup>	Statewide	SRL=yes	No	Unknown	Unknown	Unknown	Unknown
<b>South Carolina</b> <sup>100</sup>	Partial	SRL=no	Yes	Unknown	No linked legal self-help	English-only	Unknown

	<b>Statewide / partial trial court e-filing</b>	<b>SRLs <i>can</i> efile</b>	<b>Fee-waiver filings accommodated</b>	<b>Cash payers accommodated</b>	<b>SRL legal self-help resources</b>	<b>Non-English resources</b>	<b>ADA-related information</b>
<b>South Dakota</b> <sup>101</sup>	Statewide	SRL-no	No	No	No linked legal self-help	English-only	Unknown
<b>Tennessee</b> <sup>102</sup>	Partial	SRL-yes	Unknown	Unknown	Unknown	Unknown	Unknown
<b>Texas</b> <sup>103</sup>	Partial	SRL-yes	Yes	Unknown	Linked legal self-help	English-only	Unknown
<b>Utah</b> <sup>104</sup>	Statewide	SRL-yes	Yes	Unknown	Unknown	Unknown	Unknown
<b>Vermont</b> <sup>105</sup>	Statewide	SRL-yes	Yes	Unknown	Unknown	Unknown	Unknown
<b>Virginia</b> <sup>106</sup>	Statewide	SRL-yes	Unknown	Unknown	Unknown	Unknown	Unknown
<b>Washington</b>	Partial	SRL-yes	Unknown	Unknown	Unknown	Unknown	Unknown
<b>West Virginia</b> <sup>107</sup>	Partial	SRL-yes	Yes	No	No linked legal self-help	English-only	Unknown
<b>Wisconsin</b> <sup>108</sup>	Partial	SRL-yes	Yes	Yes	No linked legal self-help	English-only	Unknown
<b>Wyoming</b> <sup>109</sup>	Partial	SRL-yes	Unknown	Yes	Unknown	Unknown	Unknown

## Endnotes

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- <sup>1</sup> NCSC Consultant Lori Shemka collected and synthesized the presented material.
  - <sup>2</sup> “Self-represented litigant” is a person (party) who advocates on their own behalf before a court, rather than being represented by an attorney, like described by the Court Statistics Project. These litigants are also known as being “pro se” or “pro per”. <https://perma.cc/EZP2-BWQG>
  - <sup>3</sup> 65%-100% of the parties in civil matters are self-represented, depending on case type and location. Katherine Alteneder, written comment to the Michigan Supreme Court as to ADM File 2020-08 (Nov. 1, 2021) (Michigan Supreme Court). <https://perma.cc/VE6P-EZMT>. NCSC’s 1998 “Guidebook for Electronic Court Filing” earlier forecasted that “Pro se (or pro per) litigants constitute a growing proportion of court users, particularly when the cost of representation exceeds the amount in controversy in a civil action or the potential fine in a criminal or traffic case.” <https://perma.cc/265Y-5FZE>
  - <sup>4</sup> Courts have become more of a “service” than a physical “place” reminds Michigan Supreme Court Chief Justice Bridget Mary McCormack. Cheyna Roth and Jake Neher, Michigan at “Breakthrough Moment” for Access to Justice (Dec. 23, 2021) (WDET). <https://perma.cc/2L8Z-GE9J>

Online dispute resolution design and implementation requires similar awareness: “Barriers to entry, power imbalances, and flawed processes exclude marginalized populations from effective use of the civil legal system and hinder that system from delivering on the promise of justice for all.” Stacy Butler, Sarah Mauet, Christopher L. Griffin, Jr., and Mackenzie S. Pish, The Utah Online Dispute Resolution Platform: A Usability Evaluation and Report (Sept. 8, 2020) (The University of Arizona James E. Rogers College of Law). <https://perma.cc/X9KS-JMWL>
  - <sup>5</sup> Ronald W. Staudt, “Self-Represented Litigants and Electronic Filing” (2005) (Scholarly Commons @ IIT Chicago-Kent College of Law). <https://perma.cc/A82F-JYKH>
  - <sup>6</sup> Jenni Bergal, “Courts Plunge Into the Digital Age” (2014) (The Pew Charitable Trusts). <https://perma.cc/C8RX-4QR2>
  - <sup>7</sup> American Bar Association, Standard 1.65: Court Use of Electronic Filing Processes (Feb. 9, 2004). <https://perma.cc/W923-JYWJ>

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- <sup>8</sup> Self-Represented Litigation Network, Best Practices in Court-Based Programs for the Self-Represented: Concepts, Attributes, Issues for Exploration, Examples, Contacts, and Resources, (2008). <https://perma.cc/XTV4-B3MX>
- <sup>9</sup> Richard Zorza, Principles and Best Practices For Access Friendly Court Electronic Filing Electronic Filing and Access to Justice Best Practices Project, (Legal Services Corporation) (2013). <https://perma.cc/MDQ8-CGPQ>
- <sup>10</sup> John M. Greacen. 18 ways courts should use technology to better serve their customers, (2018) (IAALS). <https://perma.cc/PBK6-MUDT>
- <sup>11</sup> Letter from Adriene Holder, attorney-in-charge, The Legal Aid Society Civil, to Jeffrey Carucci, Director, New York State Office of Court Administration Division of E-Filing (Dec. 22, 2021). <https://perma.cc/4F8Q-WJDH>
- <sup>12</sup> Kansas. User-role selection. <https://perma.cc/YB6A-R4TW>
- <sup>13</sup> Administrative Procedures for Mississippi Electronic Courts (2018) (pp. 3-4). <https://perma.cc/WJE6-QMHB>
- <sup>14</sup> Missouri. Frequently asked questions about electronic filing (p. 2). <https://perma.cc/TMZ9-CKU6>
- <sup>15</sup> Montana Supreme Court Order, In re Temporary Electronic Filing Rules (Feb. 22, 2022). <https://perma.cc/XP2A-U64M>
- <sup>16</sup> New Jersey eCourts: Frequently asked questions (p. 3). <https://perma.cc/VRH2-QB4Y>
- <sup>17</sup> New Mexico. E-filing main page. <https://perma.cc/LTE5-G22H>
- <sup>18</sup> South Carolina. E-Filing Attorney FAQs. <https://perma.cc/Y5SG-D8AF>
- <sup>19</sup> South Dakota Unified Judicial System Frequently Asked Questions (p. 3). <https://perma.cc/KY98-CC44>
- <sup>20</sup> Richard Zorza, Principles and Best Practices for Access-Friendly Court Electronic Filing (Jan. 2013) (Legal Services Corporation). <https://perma.cc/MDQ8-CGPQ>
- <sup>21</sup> Richard Zorza, Principles and Best Practices for Access-Friendly Court Electronic Filing (Jan. 2013) (Legal Services Corporation) <https://perma.cc/MDQ8-CGPQ>. See also, Nial Raaen, Jim Harris, Jim McMillan, Michigan E-Filing Strategy Final Report (Sept. 1, 2012) (National Center for State Courts). <https://perma.cc/F3TH-H9Z2>

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<sup>22</sup> National Center for State Courts, Tiny Chat 21: Unbanked 101 (Sept. 8, 2020). <https://vimeo.com/showcase/7003975/video/455771208>

<sup>23</sup> Richard Zorza, Principles and Best Practices for Access-Friendly Court Electronic Filing (Jan. 2013) (Legal Services Corporation). <https://perma.cc/MDQ8-CGPQ> See also Nial Raaen, Jim Harris, Jim McMillan, Michigan E-Filing Strategy Final Report (Sept. 1, 2012) (National Center for State Courts). <https://perma.cc/F3TH-H9Z2> (“In order to facilitate E-filing for all potential filers, the ability to e-file and pay later should be considered in particular for Self-Represented Litigants. The E-filing can potentially be recognized as filed on the date of submission and is deemed pending until payment is received either in-person with cash or physical mail check payment. A reasonable time deadline will need to be established if this approach is used.”)

<sup>24</sup> Hawai'i. Civil JEFs Frequently Asked Questions (Feb. 14, 2020). <https://perma.cc/9NJQ-WAY5> (a. The following forms of payment will be accepted: (i.) For online payment in JEFs, the Hawaii Information Consortium will accept VISA and MasterCard with a non-refundable 2.6% fee added to the total filing fee amount due. (ii.) If the “Pay Later” option is selected in JEFs, payment must be made within 10 days of electronic filing. Forms of payment may be made in: (1.) Online in JEFs via Manage Payments, (2.) Cash (only in person) at the courthouse, (3.) Check, cashier's check or money order payable to: “Clerk of the Court” (in person or by mail). b. Please note if the “Pay Later” option is selected, payment must be fully paid within 10 days of filing a document. Payment can be made at the courthouse using a law firm check, personal check, cashier's check or money order. If the total amount due is not received by that time, the document(s) will be stricken and the complaint may be dismissed.)

<sup>25</sup> iCourt Basic e-Filing Questions. <https://perma.cc/HV8U-VTG3> (“There will be an option to file on-line using credit cards, debit cards, and electronic check. Cash payments for making your filings can still be made at the court.”)

<sup>26</sup> Iowa Judicial Branch eFile User Guide (p. 3). <https://perma.cc/PC64-5QL7> (“Filing fees can be paid in person within five (5) business days of the filing at the clerk of court office at the courthouse where the case was filed.”)

<sup>27</sup> Maine eCourts Frequently Asked Questions. <https://perma.cc/2FYM-9CH9> (“Alternatively, a user may mail a check or a pay the filing fee in cash at the clerk's office where the case is located within seven days of eFiling.”)

<sup>28</sup> Missouri frequently asked questions about electronic filing (pp. 16-17). <https://perma.cc/TMZ9-CKU6> (Filing fees can be paid using a court debit account. “A

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Court Debit Account allows you to pay money in advance to the court for future filings. The debit account works like a bank account and is used to pay filing fees for the cases you file. By keeping money in your debit account you can avoid the processing fees that are incurred when using credit cards and/or electronic checks to pay individual case filing fees.”)

<sup>29</sup> Wisconsin circuit court eFiling guide. <https://perma.cc/N3WQ-K6S2> (“A court debit account offers eFilers the ability to deposit money with the clerk of circuit court to pay for fees associated with eFiled cases. You may delegate access to this account to any attorney who has an eCourts account. There are no electronic banking fees when using a court debit account and eFilers skip the US Bank electronic payment process.”)

<sup>30</sup> Wyoming File&Serve*Xpress* Frequently Asked Questions. <https://perma.cc/EA7D-VKGW> (“File & Serve*Xpress* will advance statutory filing fees to court on your behalf the day after the court accepts your filing. FSX will then invoice your firm monthly.”)

<sup>31</sup> Nial Raaen, Jim Harris, Jim McMillan, Michigan E-Filing Strategy Final Report (Sept. 1, 2012) (National Center for State Courts). <https://perma.cc/F3TH-H9Z2>

<sup>32</sup> JTC Resource Bulletin: Strategic Issues to Consider before Starting an E-filing Initiative, (July 14, 2013) (COSCA, NCSC, NACM). (“Efforts to create e-filing approaches for SLRs include guided interview form preparation (similar to tax preparation like questions) that once answered, provide the data into forms for filing and offering either static or dynamic forms and instructions. Many attorneys do not want to use the guided interview approach as it is more time consuming, but they also balk at dynamic forms because many firms have expensive litigation support software that creates form pleadings and using the dynamic form requires duplicate work.”) <https://perma.cc/UCV7-6RTR>

<sup>33</sup> John M. Greacen. 18 ways courts should use technology to better serve their customers, (2018) (IAALS). <https://perma.cc/PBK6-MUDT>

<sup>34</sup> Deena Jang, Providing language access in the courts: working together to ensure justice, (March 11, 2014) (United States Department of Justice Civil Rights Division). <https://perma.cc/2XKF-3M25>

<sup>35</sup> Letter from Adriene Holder, attorney-in-charge, The Legal Aid Society Civil, to Jeffrey Carucci, Director, New York State Office of Court Administration Division of E-Filing (Dec. 22, 2021). <https://perma.cc/4F8Q-WJDH>

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<sup>36</sup> Letter from Mary McCune, staff attorney, Manhattan Legal Services NYC, to Jeffrey Carucci, Director, New York State Office of Court Administration Division of E-Filing (Dec. 21, 2021). <https://perma.cc/EDE5-UVZN>

<sup>37</sup> Richard Zorza, Principles and Best Practices for Access-Friendly Court Electronic Filing (Jan. 2013) (Legal Services Corporation). <https://perma.cc/MDQ8-CGPQ>

<sup>38</sup> Illinois eFiling flyer in Spanish. <https://perma.cc/5EJD-NFQY>. [English: <https://perma.cc/A6ZL-JZWR>]

<sup>39</sup> Illinois. How to successfully e-file in Odyssey eFileIL (English and Spanish) <https://perma.cc/WK63-D48T>

<sup>40</sup> Michigan Legal Help. How to efile (Spanish) <https://perma.cc/KGS7-EW9Y> [English: <https://perma.cc/P8HY-7TQD>]

<sup>41</sup> Guidance on Web Accessibility and the ADA. <https://beta.ada.gov/web-guidance/>

<sup>42</sup> Web Accessibility Evaluation Tools List. <https://www.w3.org/WAI/ER/tools/>

<sup>43</sup> The Hemingway App is a free and easy tool to measure plain-language readability. <https://hemingwayapp.com/>

<sup>44</sup> Court users should be able to access court services using their smartphone. John M. Greacen. 18 ways courts should use technology to better serve their customers, (2018) (IAALS). <https://perma.cc/PBK6-MUDT>

<sup>45</sup> Nebraska Judicial Branch eFiling Guide: To upload a file from the Mobile iOS platform. <https://perma.cc/PQY4-588E>

<sup>46</sup> During the research, NCSC often learned of eFiling users frustrated by the lack of context or explanation for rejected filings. Oregon, on the other hand, has standardized and published its “Policy and Standards for Acceptance of Electronic Filings in the Oregon Circuit Courts”. <https://perma.cc/X22A-MXD6>

<sup>47</sup> Stacy Butler, Sarah Mauet, Christopher L. Griffin, Jr., and Mackenzie S. Pish, The Utah Online Dispute Resolution Platform: A Usability Evaluation and Report (Sept. 8, 2020) (The University of Arizona James E. Rogers College of Law). <https://perma.cc/X9KS-JMWL>

See also, Allison Press, Ben Peterson, Colin Murphy, Jessica Marine, Matt Henry, Mark Meyer, and Stacy Dion, 18F: How to get started building a new CM/ECF. Today. (2022) (Administrative Office of the U.S. Courts). <https://perma.cc/EL6Z-5YS8>

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<sup>48</sup> JTC Resource Bulletin: Strategic Issues to Consider before Starting an E-filing Initiative, (July 14, 2013) (COSCA, NCSC, NACM) (“Business Intelligence should make performance measures and reports readily available and useful to the court business practices and to judicial case management.”). <https://perma.cc/UCV7-6RTR>

<sup>49</sup> Letter from Adriene Holder, attorney-in-charge, The Legal Aid Society Civil, to Jeffrey Carucci, Director, New York State Office of Court Administration Division of E-Filing (Dec. 22, 2021). <https://perma.cc/4F8Q-WJDH>. (“We also recommend that [Office of Court Administration] collect, analyze, and make publicly available data from NYSCEF, including about how it is used and by who, in order to increase transparency and encourage public trust in the courts, promote accountability, and allow for creative problem-solving.”)

<sup>50</sup> Tanina Rostain, Techno-Optimism & Access to the Legal System, (2019). *Daedalus*, Vol. 148, Issue 1, p 94. <https://perma.cc/49GQ-5R8Z>

<sup>51</sup> Olivia Fiol, Ananya Hariharan, and Yipeng Su, Perceptions of eviction likelihood among renters of color: fear, anxiety, and housing precarity, (2021) (Urban Institute). <https://perma.cc/B6AG-RP6Y>

<sup>52</sup> CCJ/COSCA, Guiding Principles for Post-Pandemic Court Technology, (July 16, 2020) (National Center for State Courts). <https://perma.cc/4H94-KTF7>

<sup>53</sup> While not e-filing-focused, this human-centered design how-to resource can be helpful. Civilla and the Beeck Center for Social Impact + Innovation at Georgetown University, “Preparing for human-centered redesign: A readiness guide for state and local public benefits agencies looking to improve application, renewals, and correspondence,” (Fall 2021), <https://perma.cc/8LL9-HQ9A>

<sup>54</sup> Alabama <https://perma.cc/F8D6-RGPK>

<sup>55</sup> Alaska <https://perma.cc/R29V-5TQY>

<sup>56</sup> Alaska Accessibility <https://perma.cc/YHK9-4DHC> (“TrueFiling’s web site has been designed and tested to be in compliance with the Web Content Accessibility Guidelines (WCAG) 2.1. Structural and navigational aids have been incorporated into the design, such as headings and landmarks. All features are functional with a variety of input methods including mouse, keyboard, touch, and voice. Videos have captions. Foreground/background color contrast of text and user interface elements complies with WCAG guidance for users with low vision. Form elements have proper labels. Data tables have header cells associated with their respective data cells. If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this Web site interferes with your ability

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to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the Web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone at (855) 959-8868. Review our accessibility roadmap for more information on future changes to TrueFiling to improve accessibility.”)

<sup>57</sup> Arizona <https://perma.cc/P89U-5JZY>

<sup>58</sup> Arizona Accessibility <https://perma.cc/FTT3-6PNU> (“The eUniversa statewide electronic filing website is accessible to people with disabilities. The website complies with Section 508 of the Rehabilitation Act (29 U.S.C. § 794d) and leverages the Web Content Accessibility Guidelines (WCAG) maintained and published by the World Wide Web Consortium (W3C). It also follows the accessibility policy as described in section 6.0 of the Arizona Department of Administration’s Website Accessibility statewide policy (Policy 1300).”)

<sup>59</sup> Arkansas <https://perma.cc/S92K-AW5T>

<sup>60</sup> Arkansas. Like attorneys, e-filing SRLs must pay a \$100 account registration fee. <https://perma.cc/5YWC-XLJT>

<sup>61</sup> California <https://perma.cc/EJ4E-J97A>

<sup>62</sup> California Spanish e-filing for SRLs <https://california.tylerhost.net/SRL/>

<sup>63</sup> Colorado <https://perma.cc/U7XS-K3TJ>

<sup>64</sup> Connecticut <https://perma.cc/XZ3J-WDYB>

<sup>65</sup> Delaware <https://perma.cc/98WG-H8SP>

<sup>66</sup> District of Columbia <https://perma.cc/MG9C-U2YT>

<sup>67</sup> Florida <https://perma.cc/33AP-RW75>

<sup>68</sup> Florida Courts E-filing Authority Accessibility Policy <https://perma.cc/62LE-ZK3U>

<sup>69</sup> Georgia <https://perma.cc/2DLL-ZRR6>

<sup>70</sup> Hawai’i <https://perma.cc/LR2E-8NWL>

<sup>71</sup> Hawai’i Civil JEPS Info <https://perma.cc/QK4J-XBXU> (“If you need an accommodation for a disability when participating in a court program, service, or

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activity, please contact one of the Disability Accommodations Coordinators as far in advance as possible to allow time to provide an accommodation. You are also welcome to send an e-mail to [adarequest@courts.hawaii.gov](mailto:adarequest@courts.hawaii.gov) or complete the Disability Accommodation Request Form. The Disability Accommodations Coordinator will try to provide, but cannot guarantee, the requested auxiliary aid, service, or accommodation.”)

<sup>72</sup> Idaho <https://perma.cc/Z7YE-UCEH>

<sup>73</sup> Illinois Resources for Self-Represented Litigants, including efilng resources in Spanish <https://perma.cc/3DUR-EQAN>

<sup>74</sup> Indiana <https://perma.cc/5DS2-G2AK>

<sup>75</sup> Iowa <https://perma.cc/G56D-LLRA>

<sup>76</sup> Kansas <https://perma.cc/CTZ2-85P6>

<sup>77</sup> Kentucky <https://perma.cc/HVZ5-7JQV>

<sup>78</sup> Louisiana <https://perma.cc/Y32X-QH34>

<sup>79</sup> Maine <https://perma.cc/7XDF-CHU5>

<sup>80</sup> Maine <https://perma.cc/7XDF-CHU5> (“ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). For accommodations, contact [accessibility@courts.maine.gov](mailto:accessibility@courts.maine.gov) or a court clerk.”)

<sup>81</sup> Maryland <https://perma.cc/JN4P-REZY>

<sup>82</sup> Massachusetts <https://perma.cc/598D-GA8W>

<sup>83</sup> Michigan <https://perma.cc/Q6RE-F6DH>

<sup>84</sup> Michigan efilng Spanish instructions hosted by Michigan Legal Help. <https://perma.cc/8QVZ-D4F5>

<sup>85</sup> Michigan Accessibility <https://perma.cc/C8B2-6AV7> (“TrueFiling’s web site has been designed and tested to be in compliance with the Web Content Accessibility Guidelines (WCAG) 2.1. Structural and navigational aids have been incorporated into the design, such as headings and landmarks. All features are functional with a variety of input methods including mouse, keyboard, touch, and voice. Videos have captions. Foreground/background color contrast of text and user interface elements complies with WCAG guidance for users with low vision. Form elements have proper labels. Data tables have header cells associated with their respective

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data cells. If you use assistive technology (such as a Braille reader, a screen reader, or TTY) and the format of any material on this Web site interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the Web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone at (855) 959-8868. Review our accessibility roadmap for more information on future changes to TrueFiling to improve accessibility.”)

<sup>86</sup> Minnesota <https://perma.cc/MP2W-7E5C>

<sup>87</sup> Mississippi <https://perma.cc/HDE8-2DEH>

<sup>88</sup> Missouri <https://perma.cc/SQ54-HG72>

<sup>89</sup> Montana <https://perma.cc/5BHG-9S7K>

<sup>90</sup> Nebraska <https://perma.cc/62FC-BG7B>

<sup>91</sup> Nebraska Accessibility Statement <https://perma.cc/389Z-MGCX> (“As the Web has become widespread, people with disabilities face being locked out of many opportunities for communication, commerce, and community if websites are not accessible to them. We believe accessibility is the right of all individuals, and embrace standards set forth in the W3C’s WCAG guidelines. Please notify us should you find any deviations from these standards so we can resolve the matter. For your information, the State Technology Accessibility Standards may be viewed at: [nitc.nebraska.gov/standards/2-101.html](http://nitc.nebraska.gov/standards/2-101.html). The Section 508 website can be viewed at: <https://www.section508.gov/> and the W3C Web Content website can be viewed at <https://www.w3.org/TR/WCAG/>.”)

<sup>92</sup> New Hampshire <https://perma.cc/JA2F-AXZ2>

<sup>93</sup> New Jersey <https://perma.cc/MC5B-EULS>

<sup>94</sup> New Mexico <https://perma.cc/677M-RTGE>

<sup>95</sup> New York <https://perma.cc/7W7D-7XAA>

<sup>96</sup> North Carolina <https://perma.cc/T7KP-YWJB>

<sup>97</sup> North Dakota <https://perma.cc/H3W5-UCYD>

<sup>98</sup> Oregon <https://perma.cc/6DUN-4ZZE>

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- 99 Rhode Island <https://perma.cc/RDX8-5XBR>
  - 100 South Carolina <https://perma.cc/6KWX-LN6L>
  - 101 South Dakota <https://perma.cc/6R7G-LQS7>
  - 102 Tennessee <https://perma.cc/F7ZA-M2MD>
  - 103 Texas <https://perma.cc/TVL9-28JM>
  - 104 Utah <https://perma.cc/ZD6K-LRJ8>
  - 105 Vermont <https://perma.cc/A4AL-X4P2>
  - 106 Virginia <https://perma.cc/33D8-UKR6>
  - 107 West Virginia <https://perma.cc/2Q3F-4KUX>
  - 108 Wisconsin <https://perma.cc/E2CC-U568>
  - 109 Wyoming <https://perma.cc/YEN4-5RND>