



Pandemic Era Procedural Improvements That Courts Should Adopt Permanently



National Center for State Courts
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Introduction

The Covid-19 pandemic disrupted all aspects of society. Processes and procedures changed rapidly so people could conduct business remotely, with limited face-to-face interaction. School and work went virtual, you could visit a doctor from your living room, and curbside pickup became ubiquitous. These changes accelerated innovation and the use of technology, and changed the public's expectations for business, education, and government.

Courts modified processes and procedures so business could be conducted while users remained socially distant.¹ Some of the first changes involved procedural improvements. Courts shifted from paper filing and in-person hearings to electronic filing and remote hearings. Clerk's office functions, help center services, and alternative dispute resolution migrated to a remote service delivery model.

Some jurisdictions made changes before 2020 and were in a good position to expand offerings during the public health emergency. Others pivoted rapidly, eliminating procedural barriers, such as wet signatures, which permitted remote services to be delivered more effectively. Covid-era operational and procedural changes, including e-payments, electronic signatures, and service by alternative means, increased efficiency, convenience, participation, and accessibility.

While these new ways of doing business benefitted courts, attorneys, and self-represented litigants, not all court users have the same level of access or desire for technology-based solutions. Courts should consider the needs of all litigants, including those with limited English proficiency and individuals with disabilities. Courts should be thoughtful and creative in crafting solutions that meet the unique needs of all users.

Courts must carefully consider the "digital divide." The digital divide refers to the gap between individuals who have access to electronic devices, reliable internet, and digital literacy and those who do not. Courts should explore partnerships with organizations that serve diverse populations to ensure programs and services meet the needs of all, whether they are online or in-person. The National Center for State Courts offers resources to support courts in their endeavor to provide justice for all in the post-pandemic era.²

So, what comes next?

This is a defining moment for courts, filled with possibility. Processes and procedures that were not considered viable before 2020 are happening! As courts return to "normal" operations, they should:

Continue practices that improve the experience for court users and staff. Courts may be eager to leave pandemic operations in the past, but they should not discontinue practices that increase convenience and access to justice. Pandemic-era improvements, such as remote license

applications, electronic payments, and virtual hearings made things much more accessible and convenient for many. If those practices worked, why stop now?

Keep innovating. Courts should not merely continue pandemic-era improvements, they should improve them. Many courts changed processes quickly out of necessity during the early days of the pandemic. Now that time has passed, there may be a better way, a new software, or a new technology that will improve the process even more. Don't be afraid to take the next step.

Use stakeholder feedback to improve. Ask stakeholders for feedback to help refine processes and procedures. Often court users and staff have unique ideas about things that could be improved and suggestions for tools that will help get you there.

A Note on Procedural Justice

Procedural justice is the concept that court users are more likely to accept court decisions and follow court orders when they feel that the process was fair. The pandemic has provided an opportunity for courts to scrap the status quo and think about processes and procedures from a new vantage point, and in a way that can enhance procedural justice for all.

Courts should strive to implement changes that enhance procedural justice and improve upon practices that began during the pandemic. There are many elements to procedural justice, including:

- **Understanding:** knowledge, comprehension, availability of information, explanations
- **Neutrality:** unbiased decisionmakers, a level playing field with no insiders, everyone is treated the same, transparency in decision making
- **Voice:** ability of participants to tell their story and express their own views
- **Respect:** politeness, courtesy, respect for individual rights, civility

This report contains a high-level summary of procedural improvements that courts implemented between 2020 and 2022 that courts should permanently adopt. It contains examples, best practice recommendations, and references to publications and materials that provide information, models, and guidance for jurisdictions that want to adopt these improvements.

Resources:

- [Tiny Chat #4 - Digital Divide](#)
- [Digital Divide Considerations](#)
- [Tiny Chat #19 - Procedural Fairness](#)
- [Fair and Just Remote Hearing Reference Guide](#)
- [Conducting Fair and Just Remote Hearings: A Bench Guide for Judges](#)
- [Center for Court Innovation: Procedural Fairness video](#)

Improving Court Communications

One of the most important things that courts can do to improve procedural justice, and increase individual satisfaction with the system, is to communicate effectively. Effective communication means providing information clearly, in a way that everyone can understand.

Provide information up front about the process. Don't hide the ball. People feel more comfortable when they know what to expect. Poor communication leads to misunderstandings, frustration, and inability to follow orders. Courts should ensure that communications are clear.

Communications include written orders, court forms, brochures, verbal instructions, videos, social media posts, and more.

Communication Strategies

One of the first challenges courts faced during the early days of the pandemic was how to communicate rapidly changing information to court users. Traditionally, most court communications occurred via order, rule, or press release. Often these communications were delivered via print publication or U.S. Mail.

Even before the pandemic, technology has changed the way people obtain news and information. According to the Pew Research Center, more than eight in ten Americans now get their news from digital devices, and more than half prefer a digital platform.³

Procedural Justice Elements: understanding, neutrality, respect

The pandemic required courts to be nimble, communicating updates to the public rapidly as public health recommendations changed and emergency declarations were revised. While many courts still used administrative orders to communicate modifications of court processes and procedures, many jurisdictions also used websites, social media, and virtual help desks to deliver this information to stakeholders, in a way that they could understand. Courts embraced plain language, used graphics and illustrations, and translated materials into multiple languages to ensure information could be understood by all.

Example: In the early days of the pandemic, many families were confused about how stay at home orders impacted custody and parenting time, particularly when children spent time in another state. The Maryland courts posted a statement online, in English and Spanish, which clarified how children and family law matters would be handled.⁴

Custody and Parenting Time:

All court orders for a child's custody, parenting time, and child support **are still in effect**. In some situations, if permitted under the court order, custodians can **jointly** adjust their shared parenting responsibilities in ways that they agree are best for the children. If custodians are not able to agree, the court order controls.

Working with limited staff, the Circuit Courts are only hearing family law emergencies (custody, child access, visitation, and support) where there is a credible risk of imminent and substantial physical or emotional harm to a child or parent.

Custodia y régimen de alternancia/vistas

Todas las órdenes judiciales relacionadas con la custodia de un menor, el régimen de alternancia/vistas y la manutención infantil **siguen vigentes**. En algunas situaciones, si la orden judicial lo permite, los tutores pueden **adaptar juntos** sus responsabilidades parentales compartidas de la forma que ambos creen es mejor para los menores. Si los tutores no pueden ponerse de acuerdo, prevalecerá la orden judicial.

Al trabajar con personal limitado, los tribunales de circuito solo están atendiendo emergencias de derecho de familia (custodia, acceso al menor, visitas y manutención) donde hay un riesgo real de daño físico o emocional, inminente y sustancial, a un menor o padre/madre.

Figure 1. Statement on Matters Concerning Children & Families – Maryland, March 25, 2020

Best practice recommendations:

- Make sure communications are simple and consistent. Use graphics and visuals to explain complicated processes.
- Write in plain language. Aim for a reading level of 6th grade or below.
- Post messages on court websites and update them frequently. Include a date stamp so it is clear when the information was posted.
- Make sure written content is accessible. Choose fonts, font size, and other elements carefully. An accessibility checker can help identify issues.
- Pictures and graphics should contain alt text, which can be read aloud to individuals using a screen reader.
- Translate content into multiple languages. Don't forget to translate updated content.
- Offer information in multiple formats, and in multiple locations. Use links to cross reference information in different locations.
- Don't rely on your website alone to communicate. Use multiple channels, such as telephone, live chat, email, social media, and print.
- Work with partners to amplify your message. Legal services providers, the private bar, public school systems, nonprofit organizations, and executive branch agencies are good places to start. Remember to share updates regularly.

Resources:

- Tiny Chat #2 - [Clear Communications and Companion](#)
- Tiny Chat #39 - [Plain Language and Companion](#)
- Tiny Chat #33 - [Instructions and Companion](#)
- Tiny Chat #34 - [Illustrated Instructions](#)
- [Hemingway Reading Level Tool](#)
- [NCSC Plain Language Resources](#)
- [Task Force on Countering Disinformation Report and Recommendations](#)
- [Media Guide for Today's Courts](#)

Event Notification

Technology has changed how people keep track of events. Increasingly, people rely on text messages, emails, and electronic calendars to tell them where they need to be, what they need to bring, and when to arrive. Many service providers, including doctors, hairstylists, and even government agencies, such as motor vehicle administrations, use off-the-shelf products to notify customers about upcoming events. Notices are sent via telephone, email, and SMS or text. Messages can be customized to provide important information, such as appointment time, location, and what to bring.

Procedural Justice Elements: voice, understanding, neutrality, respect

Courts are also increasingly using event notification software to reduce failures to appear and ensure litigants are prepared for upcoming events.

Example: Many states, including Massachusetts, Maryland, Florida, Washington, and Indiana use text reminders to alert court users of upcoming court events. Reminders are typically sent twice, generally a few days before an event, and again a few hours before the event.⁵

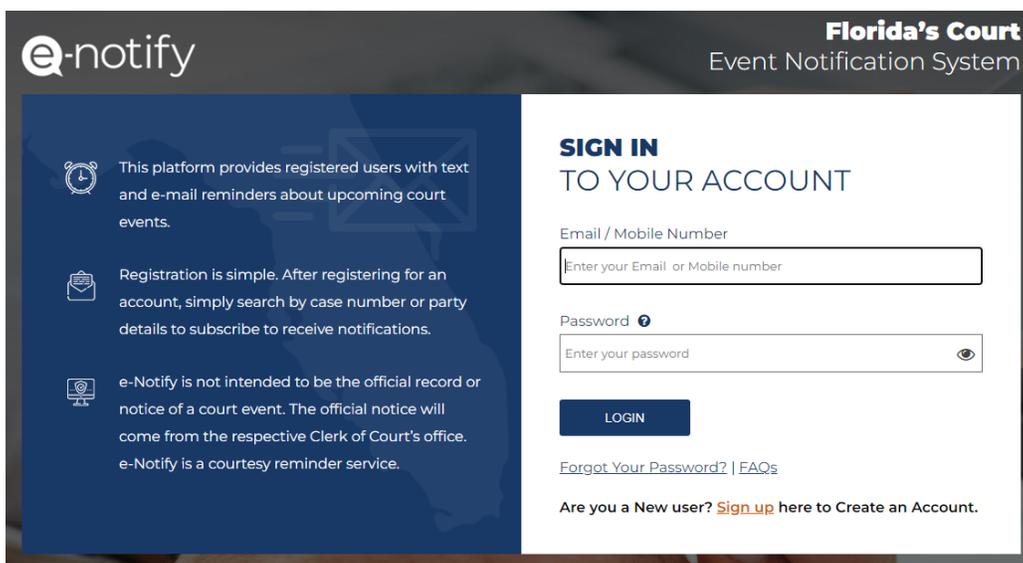


Figure 2. Florida's E-Notify Event Notification System

Best practice recommendations:

- Use event notification systems to increase appearance rates.
- Be aware of and comply with laws that govern text message communications.
- Develop a process for users to update their contact information if there is a change.
- Translate messages into multiple languages.

Resource:

- [NCSC's appearance rates page](#)

Online Feedback

Courts should solicit feedback from stakeholders regularly. Ask users about their experiences and determine if they have recommendations on how to improve. Feedback can inform changes to policies and procedures and is crucial to improving efficiency and effectiveness. These changes can increase user satisfaction and advance procedural justice.

Courts can solicit written feedback via a public comment box or using paper surveys. Use online surveys such as Survey Monkey or Qualtrics, to reduce staff time spent on data entry and analysis.

Procedural Justice Elements: voice

Examples: The Superior Court of California, County of Santa Clara offers an online feedback form.

The image shows a screenshot of a web-based feedback form titled "FEEDBACK TO THE COURT". At the top right, there are links for "Print" and "E-mail". Below the title, a note states: "To contact the Court for information, including by email, please visit the Locations & Contact Info page. The form below is intended for website-related feedback only." The form is divided into several sections:

- What are you looking for?** This section contains four radio button options: "General information about the Superior Court", "How to prepare and file a lawsuit", "Information about an existing case or citation", and "Other (specify):" with an adjacent text input field.
- If you are here about an existing case or to learn how to file a lawsuit, what kind of case is it?** This section contains a list of radio button options: Civil, Small Claims, Probate, Guardianship, Conservatorship, Traffic, Juvenile Dependency, Juvenile Justice, Criminal, Divorce, Child Support, Child Custody, Domestic Violence, and Other.
- If you have a case number or citation number, please enter it** This section has a single text input field.
- Use this space for your comments and questions:** This section features a large, empty text area with a small icon in the bottom right corner, likely for a text editor.
- What is your email address? (We need this if you want a response!)** This section has a single text input field.

Figure 3. Santa Clara - User Feedback Form⁶

The Alaska courts also provide an online customer service questionnaire to solicit feedback about court user’s experiences.

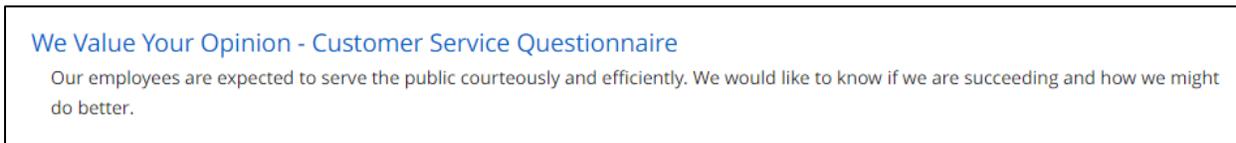


Figure 4. Alaska Court Customer Service Questionnaire⁷

Best practice recommendations:

- Determine what kind of feedback you are looking for.
- Draft questions with the user in mind. Use plain language.
- Translate questions into multiple languages. Make sure you can analyze responses that are offered in a language other than English.
- Only collect data if you plan to use it! Make a data analysis plan. Provide summary data to leadership and individuals who have the ability to address recurring problems.
- Consider adding a field for court users to provide contact information for follow-up. If you include a field, be sure to regularly review responses. Make sure staff follows up.

Resources:

- [NCSC CourTools: Access and Fairness](#)
- [Court Voices Project: Using Court User Feedback to Guide Courts' Pandemic Responses](#)

Simplifying Court Procedures

For many years, courts required traditional inked, or “wet” signatures on pleadings and other documents. The rise of technology led many to wonder whether electronic signatures were valid and would begin to be more widely accepted.

In the early 2000s, the federal Electronic Signatures in Global and National Commerce (ESIGN) Act⁸, and Uniform Electronic Transactions Act (UETA)⁹, solidified recognition of electronic signatures as valid, binding, and equivalent to paper writings and traditional wet signatures.

While electronic signatures have become more commonly accepted on contracts and other documents, their use took off in the early days of the Covid-19 pandemic. Throughout 2020 and 2021, entities such as the United States Patent and Trademark Office and the Internal Revenue Service issued notices explicitly permitting electronic signatures.¹⁰

Likewise, in the early days of the pandemic, courts expanded the use of electronic signatures by judges, court staff and litigants. Many also suspended or eliminated notarization requirements and permitted service of process by alternative means. In some states, executive agencies took the lead, while in others, the Judiciary, state supreme courts, or rules committees promulgated orders that expressly authorized these methods.

Electronic or E-Signatures

Prior to the pandemic, many courts updated their rules to permit judges, parties, and attorneys to sign documents electronically as they moved towards electronic filing.¹¹

Procedural Justice Elements: understanding, neutrality, respect

Examples: In March of 2020, the Supreme Judicial Court of Massachusetts issued an order, OE-144, permitting judges and clerks to sign documents electronically using a scan of the judge’s individual handwritten signature, or a /s/ name of signatory block.¹²

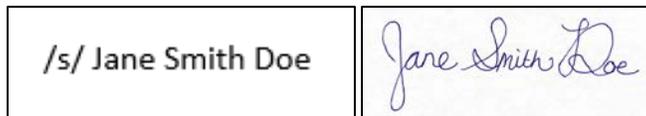


Figure 5. Typographical and facsimile signatures

Alaska permitted parties to file documents via email and sign documents by typing “s/[name]” on the signature line. Notarization requirements were also suspended.¹³

In 2021, the Supreme Court of Illinois issued an order, M.R. 30370, which permitted electronic signatures on pleadings, regardless of how they are filed. Before, electronic signatures were only allowed on electronic documents. M.R. 30370 eliminated a barrier to litigants who received remote assistance from a lawyer or help center, but then had to print and sign documents that were prepared for them.¹⁴

Other courts throughout the U.S. also moved towards allowing staff to sign electronic warrants, contracts, and procurement documents, electronically.

Notarization

Many states require certain documents to be notarized, including financial paperwork, deeds, affidavits, and powers of attorney. Notaries charge a fee to verify the identity of parties to an agreement and certify that signatures are genuine.

Notarization creates procedural hurdles for parties, including time and travel costs. These barriers disproportionately impact litigants without counsel and individuals with limited means. In the 1970s, Congress adopted legislation which permits a declaration under penalty of perjury to be used in lieu of a notarized affidavit.¹⁵ In the years leading up to the Covid-19 pandemic, many courts began taking a closer look at notarization requirements through an access to justice lens.

Procedural Justice Elements: understanding, neutrality, respect

Examples - No Notarization: Many states, including Utah, Washington, and New Mexico permit filings without notarization.¹⁶ In the District of Columbia, Superior Court Rule Civil 9-I was amended in 2011 to permit declarations to be filed without notarization.¹⁷

In the early days of the COVID-19 pandemic, courts recognized that it would be more difficult than usual for individuals to have documents notarized, and many suspended or eliminated these requirements. The protection of penalty by perjury was sufficient to prevent widespread fraud and malfeasance.

In Ohio, the Supreme Court adopted a temporary change permitting “domestic-relations, juvenile, general, and probate forms” to be used “in lieu of the similar versions of the forms requiring notarization in the Ohio Rules of Civil Procedure...”¹⁸

Examples - Remote Online Notarization: Before the pandemic, several states permitted remote online notarization (RON). With RON, signers can appear via audiovisual communication instead of appearing before a notary in-person. Pennsylvania was one of the first states to establish an electronic signature notarization program in 2006; however, full authorization did not occur until 2020.¹⁹ Throughout 2020, more than half of states permitted RON when the signer appears before a notary using remote audiovisual equipment.

Michigan Governor Gretchen Whitmer issued an executive order suspending the strict requirements of the Michigan Law on Notarial Acts and permitting notarization of documents outside of the physical presence of a notary or required witness.²⁰

Florida Chief Justice Charles T. Canady issued administrative order AOSC20-16, permitting notaries to swear witnesses remotely via audio-video communication if they could positively identify the witness.²¹

As the pandemic continued, more states began allowing online notarization. The Securing and Enabling Commerce Using Remote Electronic (SECURE) Notarization Act, pending in Congress as of this guide’s publication, would allow notaries to perform RON using two-way audiovisual communication.

Best practice recommendations:

- Adopt the federal standard and eliminate notarization requirements. Allow litigants to swear under penalty of perjury.
- Make sure signature and notarization policies are clear and easy to understand.
- Provide samples and examples so court users can see what is required.
- Provide resources. Refer litigants who need help to court navigators, clerk’s offices, help centers, and volunteers.

Resources:

- Tiny Chat #5 - [Signatures and Notaries and Service and Companion](#)
- [Remote Notarization](#) from the National Notary Association

Electronic Service of Process

Service of process traditionally occurs in one of three ways: personal service, substituted service, or mailing. Increasingly, courts have experimented with new ways of service, such as posting on a legal information website, email, and social media.²²

During the Covid-19 public health emergency, courts permitted service of process in new ways, such as email or text. Some states limited electronic service of process to certain case types, or certain situations, such as if parties could show that service could not be accomplished in any other way.

Procedural Justice Elements: understanding, neutrality, respect

Examples: In Alaska, the service rule is broad, permitting service via posting on a legal notice website, email, social networking, or by any other method the court deems appropriate.²³ In Texas²⁴ and Delaware²⁵ service of process is allowed by publication on legal notice websites as an alternative to traditional print publication.

The DC Superior Court permitted service by text or email during the public health emergency. After service was effectuated, the court required an affidavit of electronic service, which could be submitted to the court via email.²⁶

**AFFIDAVIT REGARDING
ELECTRONIC SERVICE DURING
COVID-19 PUBLIC HEALTH CRISIS**

I, _____, am the PLAINTIFF
PRINT YOUR NAME DEFENDANT
 OTHER PARTY _____
RELATIONSHIP TO CASE

1. I certify that, on _____,
DATE DOCUMENTS SENT

I served _____, **who is the** PLAINTIFF
NAME OF PERSON SERVED DEFENDANT
 OTHER PARTY _____

by providing electronic copies of the following document(s) in this case:

The summons or notice of motion
 A copy of the complaint
 A copy of this motion: _____
 Other: _____

2. I served the other party by sending the above documents through:

an email message to this email address: _____
 a text message to this phone number: _____

Figure 6. Superior Court of the District of Columbia - Affidavit of Electronic Service During the Covid-19 Public Health Crisis

Best practice recommendations:

- Remember, the purpose of service of process is actual notice. Consider how technology can help ensure service is effectuated.
- If service is allowed via digital platform, make sure it can accommodate attachments.
- Use read receipts which provide a date stamp that indicates when messages and files were viewed or opened.
- Think about how ownership of social media accounts can be verified.
- Remember the digital divide! Not everyone has access to computers, devices, or reliable internet. Consider offering new and additional means of service, in addition to, rather than in lieu of, traditional methods.

Resource:

- [States with Alternative Service Rules that Reference Electronic Service](#)

Eliminating or Adapting Publication Requirements

In certain case types, such as foreclosure and name change matters, state law requires public notice via publication. Traditionally public notices were published in a local paper or posted in a public space at the courthouse. In recent years, newspaper circulation has declined as more people consume digital news, prompting courts to explore alternative ways to post public notices.²⁷ At the same time, an increasing number of states have eliminated publication requirements, in whole or in part, citing privacy and safety concerns.²⁸ Some states do not have publication requirements, while others give courts broad discretion to waive publication requirements.²⁹

Procedural Justice Elements: understanding, neutrality, respect

During the Covid-19 pandemic, many courts looked for new options for legal notice publication. States, including Iowa, Texas, Alaska, and others, have launched public notice websites, which bring together public and legal notices published in newspapers across the state.³⁰

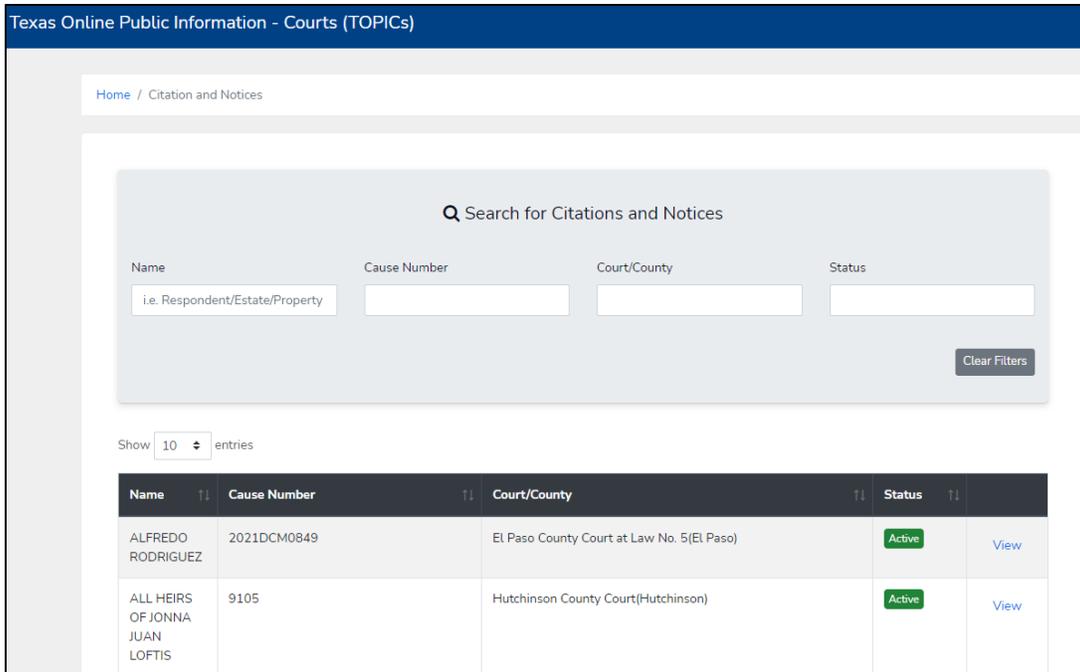


Figure 7. Texas Online Public Information Website

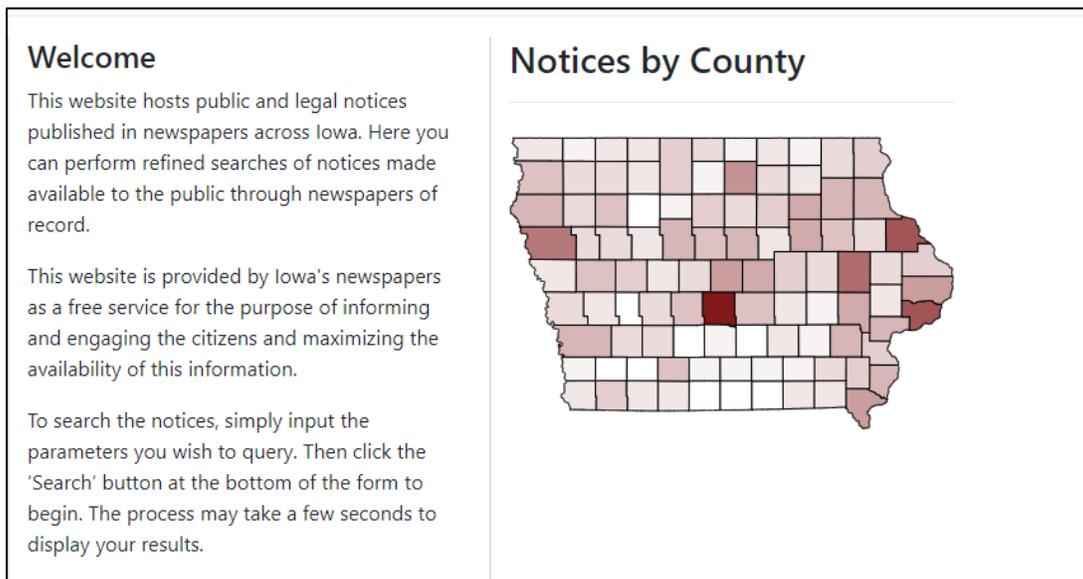


Figure 8. Iowa Newspaper Association's Public and Legal Notice Website

Best practice recommendations:

- Consider the costs and benefits of posting legal notices. In some cases, privacy and protection from harm may outweigh the benefit of public posting.
- If publication is being used as an alternative method of service, consider publishing on a website to provide actual notice.

Resource:

- [Electronic Service of Process](#)

Remote Court Programs and Services

Remote services are an efficient and cost-effective way to assist court users. Remote help meets the expectations of modern court users and helps eliminate barriers to accessing in-person help. Remote services allow courts to offer programs and services outside of traditional court hours and can reduce staffing, overhead, security, and other costs.

In the early days of the pandemic, courts began offering remote programs and services, and expanded existing programs. Remote services are provided in many ways, including telephone, live chat, chatbot, email and SMS (text), videoconferencing, and more. While many people prefer to receive services remotely, courts should consider individual preferences and the digital divide. Telephonic assistance works well and is available to nearly everyone.

Courts may also offer remote access points for litigants without access to Wi-Fi or other technology. Courts should explore the accessibility features of virtual and remote platforms to ensure everyone can meaningfully participate. Some platforms offer magnification or text-to-speech options. Others display live transcripts. Platforms also offer interpretation tools, such as dedicated audio channels for interpreters.

Examples: The District of Columbia Courts offer remote hearing sites in six locations throughout the city.³¹ In Minnesota, the Legal Services Coalition created a network of more than 250 legal kiosks, stationed in courts, non-profit organizations, and other community locations.³²

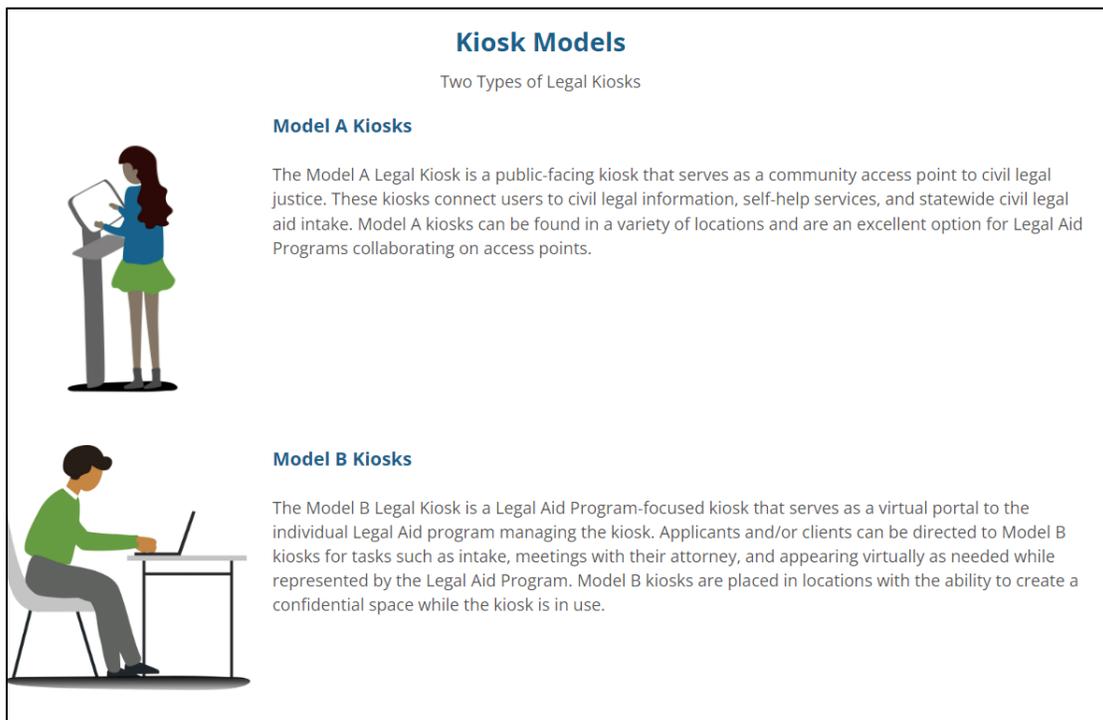


Figure 9. Minnesota Legal Kiosk Project

Virtual Clerk's Office

Clerk's office functions are an integral part of the justice system and a key delivery point for procedural justice. Litigants visit the clerk's office to file paperwork, obtain copies of licenses and other records, ask questions, and be referred to legal assistance and other resources.

During the pandemic, courts launched virtual clerk's offices, which permitted business to be conducted remotely. Jurisdictions provide services via videoconferencing, live chat, chatbots, SMS, email, and telephone.

Procedural Justice Elements: understanding, neutrality, voice, respect

Examples: Rhode Island's virtual clerk's offices permits the public to conduct business remotely³³.



Figure 10. Rhode Island Judiciary - Virtual Clerk's Office

Likewise in East Lansing, Michigan, litigants can visit the virtual counter to find out about their court case, make payments, address warrants, and schedule hearings.³⁴ Service is offered Monday to Friday mornings from 9 a.m. to 12 p.m. and in the afternoon from 1 p.m. to 4 p.m.

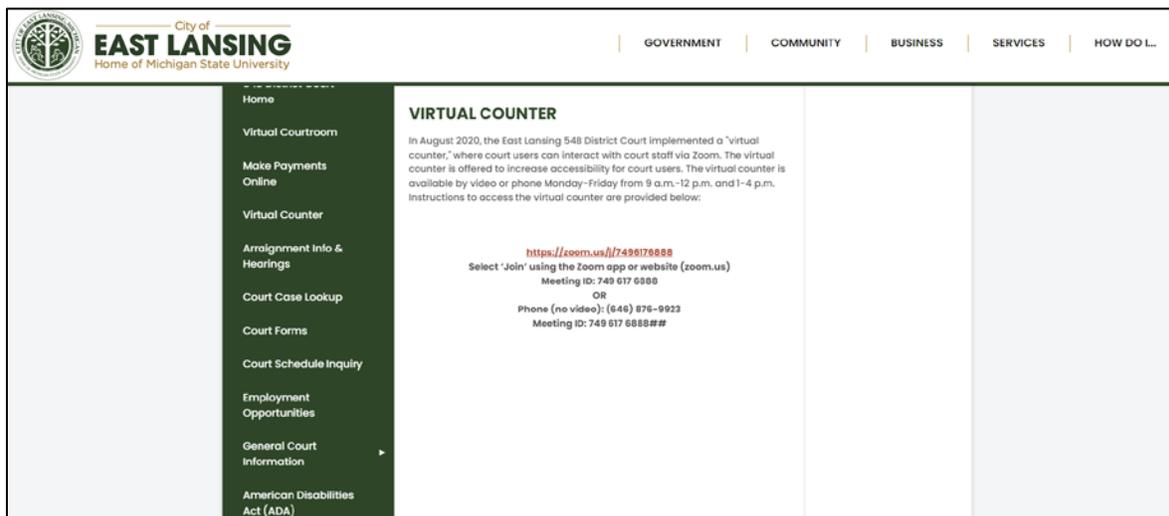


Figure 11. City of East Lansing Virtual Counter

Best practice recommendations:

- Set clear expectations. Describe which services are offered remotely, and which must occur in-person.
- Display hours of operation for the virtual clerk’s office on the court’s website.
- Include contact information for the clerk’s office, including a telephone number.
- Use telephonic or video remote interpretation to assist litigants with limited English proficiency.
- Draft clear instructions that explain what litigants need to prepare, how the process works, and what users should expect before they get started.
- Solicit feedback from users to improve services.

Resource:

- Tiny Chat #86 - [Michigan Virtual Clerk Counter](#)

Chatbots

Many jurisdictions began using chatbots (chat robots) to assist court users during the pandemic. Chatbots simulate human conversation through text and voice commands. There are a variety of platforms available through Amazon, IBM, Microsoft, and others. Courts may already have access to these tools through existing vendor contracts. Courts can program chatbots with pre-determined content aimed at addressing simple inquiries from members of the public. Chatbots can expand virtual clerk’s office offerings, by providing services around the clock when staff are not available.

Procedural Justice Elements: understanding, neutrality, respect

Examples: Arizona uses a virtual office assistant, “Cleo,” to provide information and address simple requests from members of the public.³⁵ Cleo aids users in multiple languages, and interacts with Amazon Alexa, Google Assistant, and SMS Text messaging.

New Jersey’s chatbot, “Jia,” answers questions about a variety of different topics, including civil, criminal, appellate, tax, and probate.³⁶

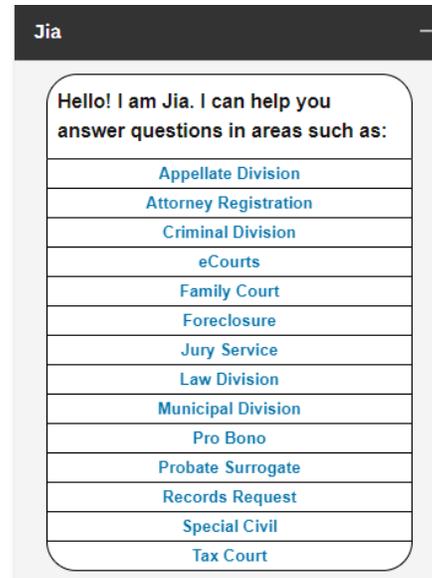
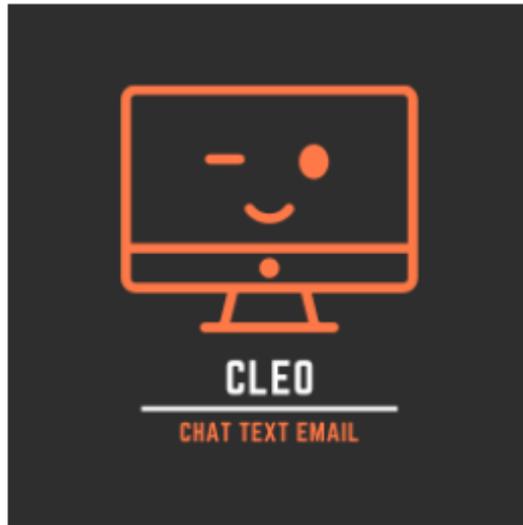


Figure 12. “Cleo,” Arizona’s Virtual Office Assistant and New Jersey Court Chatbot, “Jia”

Best practice recommendations:

- Keep it simple. Use existing user data to determine what problem(s) the chatbot is meant to solve.
- Start by identifying the top questions that clerk’s office or other frontline staff are asked most often. Consider which procedural or navigational steps regularly trip up court users.
- Use plain language and provide information in multiple languages.
- Start with the basics. Conduct user testing and solicit feedback to improve the service.
- Give users clear instructions about how to escalate to a person if the chatbot cannot help.
- Explain the limits of the kind of help it can provide. Managing expectations will help reduce user frustration.
- Give your chatbot a name.

Resources:

- [JTC Quick Response Bulletin: Getting Started with a Chatbot](#)
- [Tiny Chat #32 - Instructions and Companion](#)

Electronic Filing

Electronic filing (e-filing) permits court users to file and view case documents online. It is available in many jurisdictions nationwide for attorneys and self-represented litigants. During the early days of the pandemic, e-filing was crucial to allow continuity of court operations. There are many benefits to e-filing, including increased access to documents from anywhere, and at any time.

Despite the benefits, there can be risks to e-filing for litigants who do not have access to reliable internet, or those who are not tech savvy. Systems should be designed for all, incorporating plain

language, accessible design, and resources for individuals with limited English proficiency. The National Center has many resources for courts interested in launching an e-filing system.

Procedural Justice Elements: understanding, neutrality, respect

Best practice recommendations:

- Consider the digital divide. Many people in the U.S. live in rural areas and do not have reliable broadband or Wi-Fi access. Systems must also be mobile friendly.
- Make the platform user-friendly for self-represented litigants (SRLs). This will reduce staff time answering questions and troubleshooting.
- Provide a support resource for SRLs who have questions about e-filing. Public law libraries and court help centers are ideal.
- Continue to offer paper filing for court users who are unable to e-file.
- Make sure there is a process integrated into the e-filing system for litigants who need to request a fee waiver and provide easy to understand instructions.

Resources:

- Tiny Chat #6 - [SRL E-Filing and Companion](#)
- Tiny Chat #52 - [File for Free](#)
- [NCSC’s Implementation of Electronic Filing for Self-Represented Litigants](#)

Remote Programs

Courts have offered remote programs for years. Examples include court help centers, online classes (webinars), law library services, remote Alternative Dispute Resolution (ADR), Online Dispute Resolution (ODR), and more. The pandemic pushed many programs that formerly only provided in-person help to embrace a remote service delivery model.

Procedural Justice Elements: understanding, neutrality, respect

Examples: The Superior Court of California, County of Los Angeles, provides an online portal for litigants to resolve traffic matters.

The following options are available to you to resolve your Traffic citation.

OPTION 1: Online Service
Many Traffic matters can be resolved online without speaking to a clerk on the phone or coming to a courthouse. [Online services relating to Traffic matters can be accessed here.](#) You must have your citation number and/or driver's license number available.

OPTION 2: Traffic Call Center
Many Traffic matters can be resolved by calling the Traffic Call Center at (213) 633-6300 and speaking with a clerk. The Traffic Call Center is open 8:00 a.m. to 4:30 p.m., Monday – Friday, except court holidays. A telephonic interpreter service is available to those who speak any language other than English.

OPTION 3: In-Person Clerk's Office Service by Appointment
Customers appearing at court without an appointment will be seen by a clerk; however, we encourage customers to schedule their appointment with the clerk in advance to avoid waiting in line. To schedule an appointment with the Clerk's Office, please call the Traffic Call Center at (213) 633-6300.

OPTION 4: Schedule a Court Hearing to Appear Before a Judge
Litigants may schedule a court hearing by using the Court's [online service option](#) (litigants must have their driver's license or citation number available) or by calling the Traffic Call Center at (213) 633-6300. Please note: Traffic litigants who wish to contest their citations without coming to court may request a Trial by Written Declaration. More information on Trial by Written Declaration can be [found here.](#)

Figure 13. Superior Court of California, Los Angeles Traffic Page

Individuals can locate case information, schedule court hearings, pay fines and fees, request an interpreter, and more.³⁷

The Superior Court – County of Ventura offers self-help webinars on a variety of topics.³⁸

Ventura Superior Court Legal Self-Help Webinars

Welcome to our Legal Self-Help Webinar Registration. Please explore the webinars being offered and register for those you are interested in. A computer with, or without a webcam, tablet or smartphone is required if you elect to participate.

- Family Law Q&A Session**
This webinar provides legal information and assistance in family law cases. REQUIREMENT: Please submit your questions ahead of time when you register. Be advised ...
- Request for Order: How to obtain or modify court orders**
This informational webinar will offer assistance in establishing or modifying child custody, visitation and support orders for minor children. Be advised this fec...
- Forms Information for Starting a Conservatorship Case**
A Self-Help Attorney will provide step-by-step instructions on how fill out and file the required court forms to start a Probate Conservatorship case. A brief Q&A s...
- Forms Information for Starting a Guardianship Case**
A Self-Help Attorney will provide step-by-step instructions on how to fill out and file the required court forms to start a Probate Guardianship case. A brief Q&A s...
- Formularios para Iniciar Curatela (Tutela de Adulto)**
SPANISH ONLY Una abogada de la corte
- Formularios para Iniciar un Caso de Tutela (menor)**
SPANISH ONLY Una abogada de la corte

Figure 14. Ventura Superior Court Legal Self-Help Webinars

In Maryland, the Thurgood Marshall State Law Library offers remote services to the public via phone, live chat, and email. It is open for extended hours, until 9 p.m. on Tuesdays and Thursdays, and Saturdays from 9 a.m. to 4 p.m.



Figure 15. Thurgood Marshall State Law Library, Maryland

Michigan’s Resolve program permits parties to resolve disputes online. Parties may negotiate directly online or engage a Community Dispute Resolution Center mediator to assist.

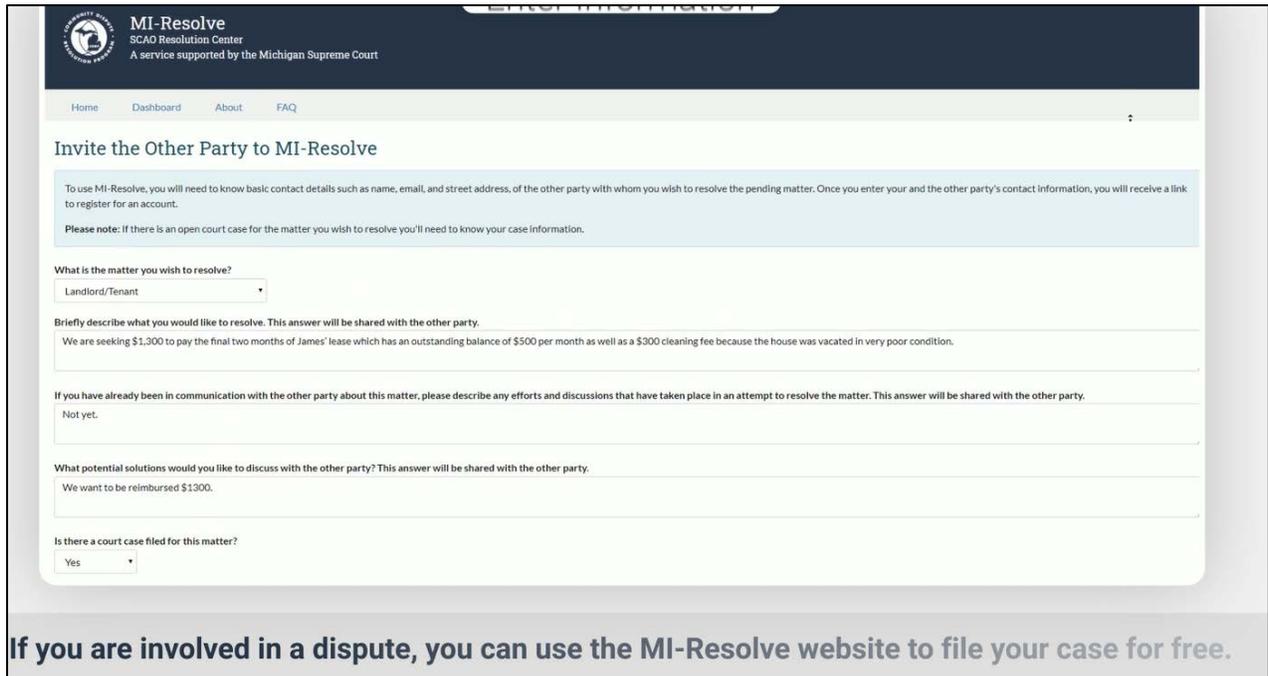


Figure 16. Michigan Resolve ODR Platform

Best practice recommendations:

- Offer a range of programs and services remotely including webinars, online portals, library services, help centers, and alternative dispute resolution.

- Remote services should be open for extended hours. Full-time workers, caregivers, and others may struggle to access services during traditional business hours.
- Record webinars and offer them on-demand for individuals who cannot attend a live event.
- Use multiple service delivery methods, including telephone, live chat, chatbot, video conferencing, email, and SMS or text.
 - Telephones are widely used and understood by members of the public. Offering remote services by telephone can help address the digital divide.
 - Chat is inexpensive and quick to set up. Staff can assist multiple litigants simultaneously and can leverage canned content to make sure that all court users receive uniform information. Chatbots can address needs after hours when staff are unavailable.
 - Email and SMS or text can also be used to provide remote self-help to litigants. Staff can use canned responses to frequently asked questions, and answers can be translated into multiple languages.
- Offer remote access points for litigants without access to Wi-Fi or other technology.

Resources:

- [Tiny Chat #13 - Self-Help Centers](#)
- [Coming to Court for Self-Help During COVID-19](#)
- [Best Practices for Maryland Court Help Centers](#)
- [NCSC Digital Divide Considerations](#)
- [NCSC's Online Dispute Resolution \(ODR\) website](#)

Virtual Queuing

Virtual queuing allows users to hold their place in line while waiting at an off-site location. Restaurants have used this technology for years to reduce crowds of people waiting on busy nights. Courts and court programs can also use this technology to improve traffic flow, increase public satisfaction, and reduce frustration when there is a wait for service. Virtual queuing can enhance privacy for children and victims and can help courts keep parties safe before and after court hearings.

Courts can analyze aggregate data from a queuing product and use it to make business decisions. Supervisors may increase staffing during busy times and in high-traffic offices. Data can also help identify areas that need more explanation or resources, and places that litigants can self-serve, instead of relying on staff to assist.

Procedural Justice Elements: understanding, neutrality, respect

Examples: Sacramento's Juvenile Justice Court uses buzzers to manage traffic flow and protect party privacy. When parties and witnesses appear for a proceeding, they check-in at a centralized reception desk. The clerk marks them as present and assigns them a buzzer. They are directed to

wait off-site, or in a special waiting area until their case is called. The buzzer has a long range, which extends throughout the building and outside as far as the parking area.

Staff in the courtroom can access the check in system so they know who has checked in for each matter. When a case is ready to be called, the courtroom clerk activates the buzzer, which notifies the party to return.

Staff and litigants report a high level of satisfaction with the system. One courtroom clerk noted that litigants like to be able to wait outside.



Figure 17. Queuing buzzer used in Sacramento's Juvenile Justice Court

During the pandemic, Maryland Court Help Centers began using virtual queuing to manage traffic at in-person court help centers. Parties sign in, complete electronic intake, and are directed to

wait off-site until it is their turn. They receive a text message when it is time to return to meet with staff.

Text messages are customized for different locations and are translated into multiple languages. Waiting areas are available for litigants without mobile phones, and for individuals who are unable or unwilling to accept text message alerts.

Best practice recommendations:

- Notification systems should be free and easy to use. Let litigants know if they may incur charges from their mobile provider.
- Make sure messages are clear, direct, and include important information, such as the office location and when the litigant should return.
- Translate messages into languages other than English.
- Plan for users who are unable or unwilling to participate in electronic queuing.

Resources:

- [Tiny Chat #13 - Self-Help Centers](#)
- [Coming to Court for Self-Help During COVID-19](#)

Online License Applications

In many jurisdictions, the law requires individuals to appear in-person to apply for licenses, such as business and marriage licenses. During the pandemic, many courts relaxed these rules and began processing license applications online.

Procedural Justice Elements: understanding, neutrality, respect

Examples: Maryland’s Governor Larry Hogan issued an executive order during the pandemic, which suspended a provision of the state’s Family Law statute, that required litigants to appear in-person to request a marriage license.³⁹ Maryland also permitted court clerks to perform marriage ceremonies via videoconferencing during the pandemic state of emergency.⁴⁰

In Arizona, marriage license applications also moved online during the pandemic.⁴¹

Online Marriage License Program

Font Size: [+](#) [-](#) [+ Share & Bookmark](#) [Feedback](#) [Print](#)

As a result of the coronavirus health emergency, the Clerk of the Superior Court for Maricopa County has made it possible to apply for a marriage license online. This reduces the need to come into the office in support of the CDC recommendation for social distancing. **NOTE: This service is provided for Arizona residents ONLY.**

You will need:

1. Valid identification for both applicants
2. Fully supported browsers for forms include the following major browsers. For the best experience with these forms, one of the following browsers is recommended:
 1. Microsoft Internet Explorer 11
 2. Microsoft Edge (EdgeHTML 16 and greater)
 3. Google Chrome 64 and greater
 4. Mozilla Firefox 59 and greater
 5. Apple Safari 10.1/11.0/11.1 and greater

How to Submit Application

Figure 18. Maricopa County, Arizona Online Marriage License Program

Maryland and several other states permit online applications for business licenses⁴². Renewals are processed via U.S. Mail.

Best practice recommendations:

- Determine if your state needs a rule or legislative change to allow online applications.
- Make the process easy. Provide fillable forms to prevent issues with handwritten applications.
- Include resources for court users who need help filling out forms or individuals with limited English proficiency.
- Make sure your court can accept online payments. Mailing payments separately from an application increases the likelihood of processing delays and additional work for court staff.
- Use online scheduling software to set appointments, if needed.

Payments

In recent years, Americans have increasingly moved away from cash and toward digital payment options. A 2018 Pew study indicated that 29% of U.S. adults make no purchases using cash during a typical week.⁴³ In 2020, the National Retail Federation indicated that the pandemic accelerated the shift to contactless payments, with nearly 70% of retailers accepting some form of no-touch payment.⁴⁴ Increasingly, courts have started allowing fees and fines to be paid online or via alternative payment.

Procedural Justice Elements: understanding, neutrality, respect

Although there has been a large shift away from cash and toward online and contactless payments, many Americans use cash for all or nearly all purchases. Others prefer to pay by check or money order. Courts should be sure to serve all, regardless of payment preference.

Courts should make sure that they have a clear process for individuals to follow to request a fee waiver.

E-Payments

Digital payments include credit card payments, bank transfers, Venmo, PayPal, Zelle, and others.

Examples: Many jurisdictions offer online payment portals, including Pennsylvania, DC, and Virginia.⁴⁵ Some accept digital payments for traffic fines, civil case fees, child support and maintenance fees, escrow accounts, sanctions, certified copies, application fees, appeals and more. Some courts accept digital payments for all case types, while others limit to traffic offenses and other limited matters.

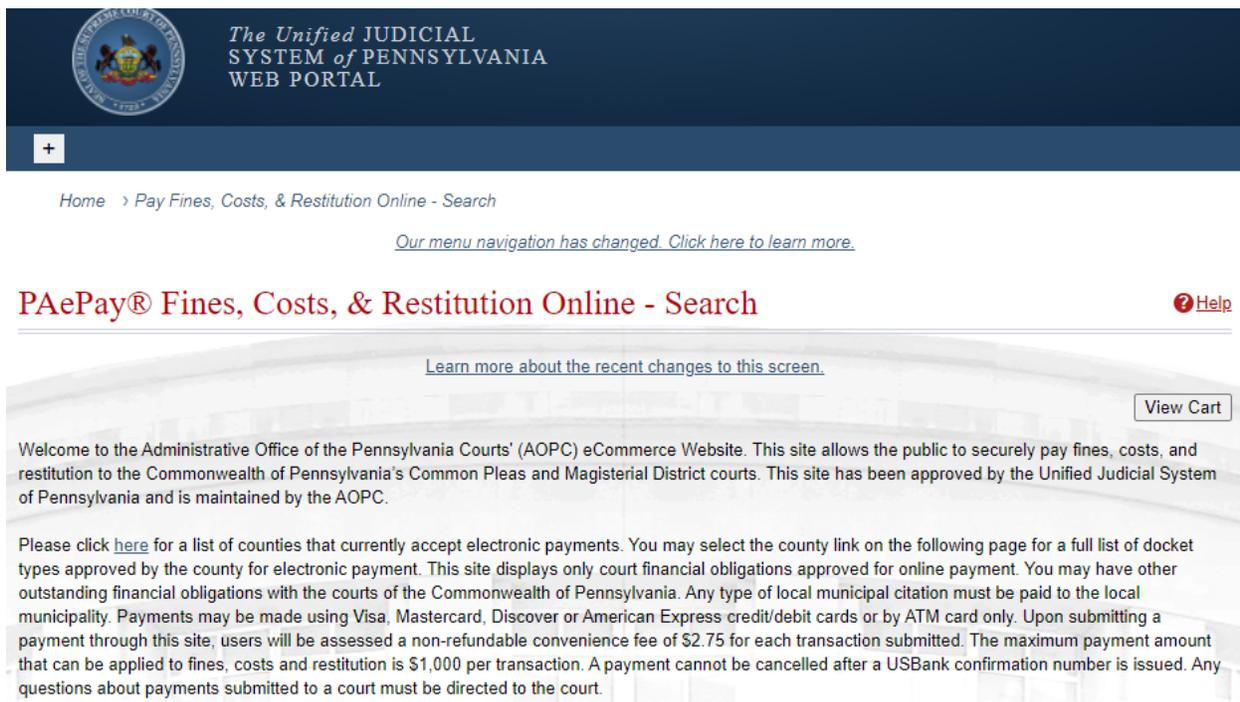


Figure 19. Pennsylvania Online Payment Portal⁴⁶

Offsite Payments

In Arizona, court users may pay fees and fines with cash at offsite retailers, including CVS, Family Dollar, and others. Users must pay a \$2.99 service fee and payments are credited within 30 minutes of payment. Arizona also offers online payments via credit card.

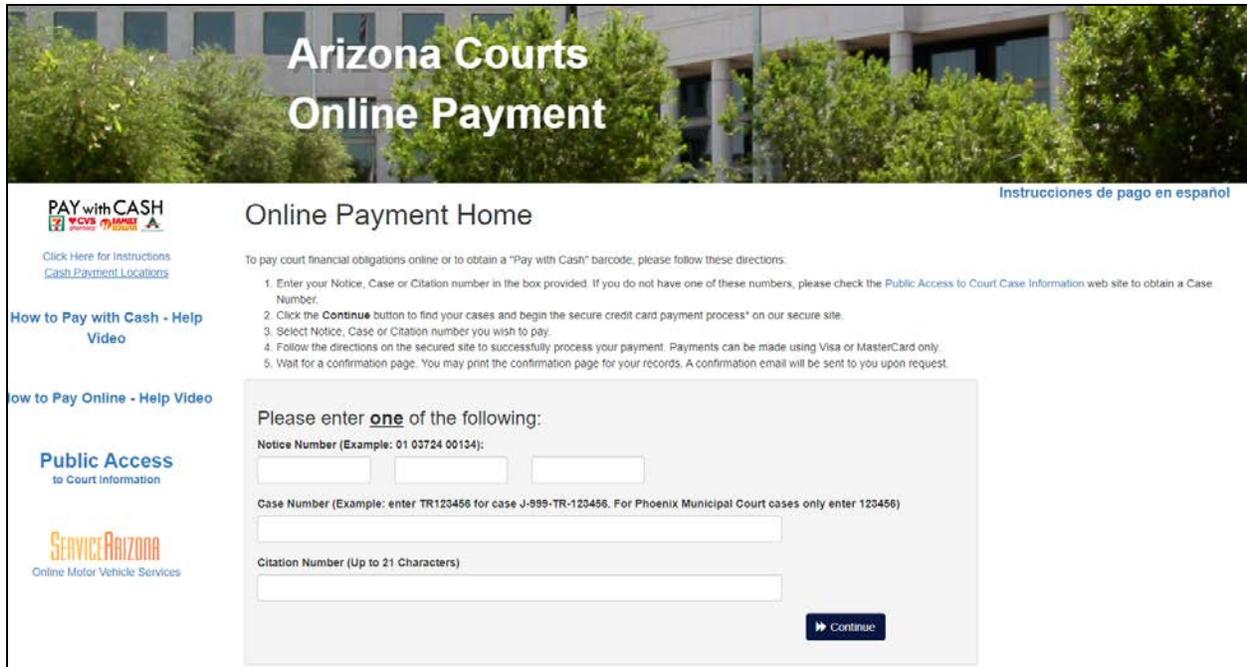


Figure 20. Arizona Pay with Cash Program⁴⁷

Best practice recommendations:

- Make it easy for people to pay. Consider ease and convenience.
- Expand, don't contract payment options. Make sure your court serves all populations.
- Remind litigants about how to request a fee waiver.
- Carefully evaluate payment methods that charge users fees. Fees are a barrier for many, and no one wants to pay more than they have to.

Resource:

- Tiny Chat - [Traffic and Companion](#)
- [NCSC's Paper on Demand: E-Payments for Court Fines and Fees](#)
- [Court E-Payments: External Service Providers, In-House Solutions and Beyond](#)

Enhancing Docket Management

The Covid-19 pandemic offered courts an opportunity to reexamine and reengineer case flow and docket management. Many courts increased the number of docket call times to reduce the number of people on site. Courts also began holding proceedings remotely, which reduced in-person appearances for litigants and attorneys. Many courts that conducted remote proceedings during the pandemic reported an increase in appearance rates.⁴⁸

Remote proceedings provide a unique opportunity for courts to try new ways of scheduling to increase efficiency and access to justice. Remote proceedings can be scheduled outside of traditional court hours in the evening and on weekends. Reducing the number of people on-site can also reduce staffing costs, such as security, and building costs, such as heating and cooling.

Procedural Justice Elements: voice, understanding, neutrality, respect

Staggered Case Scheduling

In the early days of the pandemic, many courts implemented staggered case scheduling to prevent large groups of people gathering and waiting in a courtroom for cases to be called. Courts changed call times from the traditional morning and afternoon dockets, to hourly or even half-hourly. These changes eliminated the “cattle call,” and made it more convenient for litigants, attorneys, witnesses, and others to plan for court appearances. These changes made case flow more predictable and reduced the amount of time that people had to wait.

Example: In the Superior Court for the District of Columbia, cases continue to be scheduled on the half-hour.

Time	Courtroom
10:30 AM	318
09:30 AM	318
09:30 AM	215
03:30 PM	517
09:30 AM	213
09:30 AM	213
01:30 PM	C-10
10:30 AM	316

Figure 21. District of Columbia Superior Court Docket - August 4, 2022

Flexible Case Scheduling

Some courts have explored new ways to serve court users outside of traditional business hours, including offering night and weekend hearings.

Examples: In Johnson County, Kansas, the District Court started a night court program, which gave litigants the option to have a more informal hearing during evening hours, beginning at 5:30 p.m.⁴⁹

In Cook County, Illinois, the court expanded the hours in which civil emergency order of protection matters would be heard. Remote hearings are offered Monday to Friday from 9 p.m. until 3 a.m. and on weekends from 1 p.m. to 6 p.m.⁵⁰

Best practice recommendations:

- Discontinue the cattle call approach, which does not show respect for people's time. Schedule cases in 10-to-30-minute increments, with a smaller number of matters in each block. If there are concerns about idle staff time, provide desk work for staff working dockets that have high failure to appear rates.
- Call cases in which both parties are present first.
- Consolidate cases that have the same plaintiff or defendant so parties can leave when their business is completed.
- After implementing docket changes, solicit feedback from stakeholders, such as attorneys and self-represented litigants. Often, court users can suggest improvements.
- Couple case scheduling changes with other modifications to increase judicial efficiency. Jurisdictions that offer remote proceedings can schedule cases outside of regular court hours. Evening and weekend hours will expand access for individuals who cannot appear during regular business hours due to work or caregiving commitments.
- Use remote proceedings to mitigate physical space limitations. Judges can hear remote proceedings from anywhere—chambers, home, and even while traveling. In the past, these matters would not have been able to be scheduled due to physical space limitations.
- Don't be afraid to experiment. Try it, test it, solicit feedback, and adjust.

Resources:

- [Considerations for High-Volume Dockets During the Pandemic](#)
- [Tiny Chat #50 - Night Court](#)
- [NCSC's Remote Proceedings Toolkit](#)

Eliminating Unnecessary Appearances

During the pandemic, courts reduced unnecessary in-person hearings by ruling on motions without a hearing in certain case types.

Example: In Illinois, the Supreme Court entered an order, which established a presumption that the court would rule on a fee waiver application without a hearing unless there was a factual question that must be determined.⁵¹ The purpose of the order was to reduce unnecessary in-person court appearances and to promote remote court appearances. Eliminating unnecessary court hearings saves time for judges, staff, and litigants.

Best practice recommendations:

- Determine which matters can be resolved by motion, without a hearing.
- Discontinue hearings in matters that do not require it.
- If a matter requires a hearing, determine if it must be in-person, or if virtual would suffice.

Resources:

- [NCSC's Remote Proceedings Toolkit](#)

Diversion Programs

Increasingly, courts are implementing diversion programs to resolve matters outside of the litigation process. Diversion programs encourage early case resolution and connect litigants with stabilizing resources.

Courts offer in-person and virtual diversion programs. Diversion programs benefit both litigants and courts. Litigants receive free legal help and avoid a judgment when cases are settled. Courts benefit when litigants are aware of their legal rights and obligations and are more prepared to participate in the process. Courts benefit when matters are settled or dismissed without a trial.

Procedural Justice Elements: voice, understanding, neutrality, respect

Examples: Courts in Illinois, Maryland, and Pennsylvania have implemented pre-trial diversion dockets to help litigants resolve legal issues without a trial.

Before the pandemic, Maryland offered in-person, day-of-court representation in landlord-tenant and consumer debt collection matters.⁵² The program offered free representation to litigants without counsel and made referrals to other legal and social services programs.

In early 2021, the District Court of Maryland in Prince George’s County moved the debt collection docket to a remote format. The consumer debt collection representation program, operated by the Pro Bono Resource Center of Maryland (PBRC), began offering remote help to litigants without counsel.⁵³ Program staff reported higher litigant appearance rates and an increase in the number of volunteers willing to volunteer when the docket was remote.

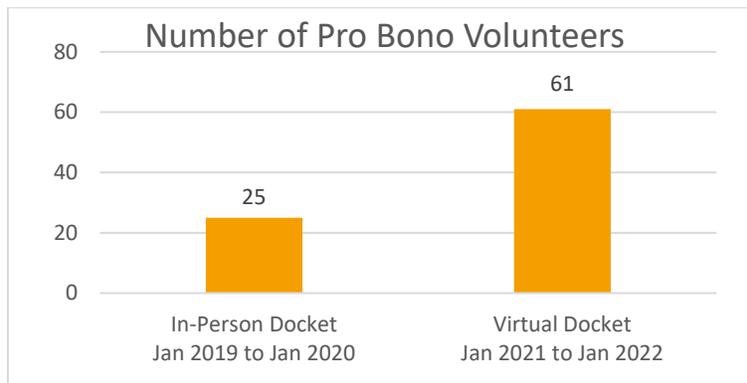


Figure 22. PBRC Volunteers - Consumer Protection Docket - Prince George’s County

The City of Philadelphia offers a free, remote Eviction Diversion program for residential tenancies.⁵⁴ Mediation occurs remotely, via telephone, in one-hour sessions. The program became mandatory for residential landlords in January 2022.

All eviction and consumer debt matters in Cook County, Illinois are assigned to a fully remote case management status docket. Self-represented litigants are given the opportunity to meet with legal

aid lawyers, mediators, and financial assistance programs. All services are delivered remotely, and case managers work with judges to facilitate referrals and provide program updates in real time. Legal aid provides remote pre-trial resolution assistance for litigants in housing and consumer matters.

Best practice recommendations:

- Build strong referral partnerships with legal and non-legal service providers to facilitate early case resolution.
- Conduct outreach early so litigants know about programs and services and have time to connect with them.
- Make sure there is enough time for litigants to meet with program staff. Adjust calendaring if necessary.
- Make sure parties have access to court files before or during the hearing.
- Make sure parties, particularly self-represented litigants, can participate in proceedings. Offer alternatives, like telephonic appearances, for individuals who lack internet access, or internet-accessible devices. Provide resources to help litigants troubleshoot technical problems.
- Make sure litigants have a private virtual room to meet with counsel privately.

Resources:

- [Eviction Diversion Resources for Courts](#)
- [Creating a Post-Pandemic Eviction Court](#)
- [Building Strong Eviction Diversion Referral Partnerships](#)

Remote Court Proceedings

Remote Proceedings

Before the Covid-19 pandemic, nearly all court hearings occurred in-person. In March of 2020, courts quickly pivoted and began hearing proceedings remotely to ensure continuity of operations. Hearings occur via telephone and videoconferencing. In some cases, all parties participate remotely; in others, some participants appear in-person while others appear remotely.

Procedural Justice Elements: voice, understanding, neutrality, respect

There are many things that courts should consider when implementing permanent remote proceedings policies. The National Center offers significant resources on this topic.

Best practice recommendations:

- Draft a policy that outlines which matters can be heard remotely.
- Select an appropriate platform. Appoint a point of contact to help troubleshoot issues.

- Provide clear, detailed instructions to litigants, court staff, and judges about how the process works and how to use technology. Make sure instructions are available in multiple languages.
- Make sure litigants have a private virtual room to meet with counsel.
- Solicit feedback from users. Use feedback to update policies and procedures.

Resources:

- [NCSC's Remote and Virtual Hearings page](#)
- [NCSC's Remote Proceedings Toolkit](#)

Video Remote Interpretation (VRI)

Video Remote Interpretation, or VRI, uses videoconferencing to provide interpreting services from an interpreter who is located off-site.

There are many benefits to VRI, including reduced costs and increased availability. Remote interpreters do not have to travel and can be quickly reassigned if proceedings are canceled or postponed. VRI also provides increased access to interpreters in rural jurisdictions that may not be able to attract in-person interpreters for brief court proceedings. VRI makes it easier to secure interpreters for rare languages. Often rare language interpreters are located far from the court location where the proceeding will take place. VRI permits interpreter assistance from anywhere with internet access.

Best practice recommendations:

- Draft a policy that outlines which case(s) are appropriate for VRI.
- Provide interpreter support, including training on VRI.
- Appoint a point of contact to help troubleshoot issues.
- Provide clear, detailed instructions to litigants, court staff, and judges about how the process works and how to use technology. Make sure instructions are available in multiple languages.
- Make sure litigants have a private virtual room to meet with counsel.
- Solicit feedback from users. Use feedback to update policies and procedures.

Resources:

- [NCSC's VRI Resource Center](#)
- [Video Remote interpretation Solutions and Resources for Courts: A Pandemic Resource from the NCSC](#)
- [Interpreter Support: Training Programs for VRI Interpreters, Sample Protocols, Other Resources](#)

Accessibility

Courts should be prepared to serve individuals who request an accommodation for remote proceedings. Many platforms offer visual and audio accessibility features, such as closed

captioning, and the ability to adjust font size, and audio volume. Other reasonable accommodations may also be considered.

Best practice recommendations:

- Outline a clear process for individuals to request an accommodation.
- Identify a point of contact if assistance is needed to make the request.
- Offer printed resources about how to use a platform’s visual and audio accessibility features. Make sure staff are trained to assist.

Conclusion

Now more than ever, courts must continue to make improvements to meet the needs and expectations of modern court users. Courts should innovate, evaluate, and refine processes and procedures. They should solicit feedback from stakeholders and use it to make improvements that increase efficiency, participation, and convenience.

The National Center for State Courts is available to assist courts with this most important endeavor. We encourage you to reach out for help and support.

Acknowledgements

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It was prepared by NCSC's Access to Justice Team.

Lonni Kyhos Summers, Lead Writer

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For more information, please visit: www.ncsc.org/a2j.

Index

The tables below contain examples. The lists are not comprehensive, and content may be updated.

Alternative Service Rules that Reference Electronic Service

State	URL
Alaska	https://courts.alaska.gov/rules/docs/civ.pdf
DC	https://nationalcenterforstatecourts.box.com/s/g2ikn2mfhsieuvw11ts3hi3xrpv6vqic
Kansas	http://www.kslegislature.org/li/b2021_22/statute/060_000_0000_chapter/060_003_0000_article/060_003_0003_section/060_003_0003_k/
Maine	https://www.courts.maine.gov/rules/text/MRCivPPlus/mr_civ_p_4_plus_2018-08-01.pdf
Nevada	https://nationalcenterforstatecourts.box.com/s/uoa4anxpsa9clc2mq8d97d8w5hv98oj4 (Rule doesn't specifically include text or email, but forms list alternative service options)
Oregon	https://www.oregonlegislature.gov/bills_laws/Pages/orcp.aspx
Texas	https://www.txcourts.gov/media/1453689/texas-rules-of-civil-procedure.pdf
Utah	https://www.utcourts.gov/rules/view.php?type=urcp&rule=4

Remote Clerk's Office Functions

State	Service Delivery method	URL
Alaska	Telephone, Email	https://courts.alaska.gov/covid19/index.htm
Arizona	Email, Chatbot	https://www.clerkofcourt.maricopa.gov/about/meet-cleo
Arkansas	Telephone, Email	https://www.arcourts.gov/online-services
DC	Telephone, Email	https://www.dccourts.gov/sites/default/files/Superior-Court-Clerks-Offices-Remote-Operations.pdf
New Jersey	Telephone, Email, Chatbot	https://www.njcourts.gov/courts/index.html?lang=eng
Rhode Island	Videoconferencing	https://www.courts.ri.gov/Courts/FamilyCourt/Pages/Virtual.aspx

Remote Court Help Centers

State	URL
Alaska	https://courts.alaska.gov/shc/family/shcabout.htm#hours
Illinois	https://www.ilcourthelp.gov/hc/en-us
Maryland	www.mdcourts.gov/helpcenter
Massachusetts	https://www.mass.gov/info-details/virtual-court-service-center
Michigan	https://michiganlegalhelp.org/organizations-courts/self-help-centers
Minnesota	https://www.mncourts.gov/selfhelp/
New York	https://www.nycourts.gov/courthelp/GoingToCourt/helpCenters.shtml
Utah	https://www.utcourts.gov/selfhelp/contact/

Remote ADR and ODR

State	URL
Maryland	https://mdcourts.gov/district/adr/remotedr
Michigan	https://www.courts.michigan.gov/administration/offices/office-of-dispute-resolution/
New York	https://www.nycourts.gov/LegacyPDFS/press/pdfs/PR21_03.pdf

Remote Proceedings

State	URL
Arizona	https://www.azcourts.gov/courtservices/Court-Services-Home/Remote-Appearances
Alaska	https://courts.alaska.gov/covid19/zoom-faq.htm
Arkansas	https://www.arcourts.gov/arkansas-supreme-court-statement-novel-coronavirus-outbreak-and-courts/electronic-hearings-zoom
Michigan	https://www.courts.michigan.gov/49d260/siteassets/covid/covid-19/guidanceforcourts_srlremote.pdf
Maryland	https://mdcourts.gov/remotehearings

Remote Payments

State	Online, Offsite or Both	URL
Arizona	Both	https://wmq.etimspayments.com/pbw/include/arizona/newinput.jsp
DC	Online	https://www.dccourts.gov/services/online-payment
Delaware	Online	https://courts.delaware.gov/epayment.aspx
Maine	Online	https://apps1.web.maine.gov/online/courts/fines/
Pennsylvania	Online	https://ujportal.pacourts.us/PAePayFCR
Virginia	Online	https://eapps.courts.state.va.us/fmsOnline/#/searchHome

E-Signatures

State	URL
Alaska	https://courts.alaska.gov/covid19/docs/statewide-pjo-rules-suspension-1.pdf
California	https://www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2_257
Idaho	https://isc.idaho.gov/IREFS9
Illinois	https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/6f29800c-a0ed-466b-8040-e74c3b4a710b/022321-3.pdf
Maine	https://legislature.maine.gov/statutes/4/title4sec8-C.html
Maryland	https://mdcourts.gov/mdec/faq-attorneys
Massachusetts	https://www.mass.gov/doc/sjc-order-concerning-electronic-signatures-of-judges-and-clerks/download

Endnotes and References

- ¹ <https://www.pewtrusts.org/-/media/assets/2021/11/clsm-court-tech-methodological-appendix.pdf>
- ² <https://www.ncsc.org/newsroom/public-health-emergency/pandemic-and-the-courts-resources>
- ³ <https://www.pewresearch.org/fact-tank/2021/01/12/more-than-eight-in-ten-americans-get-news-from-digital-devices/>
- ⁴ <https://www.mdcourts.gov/sites/default/files/import/coronavirus/mjconcerningchildrenandfamiliescovid19.pdf>
- ⁵ <https://www.mass.gov/news/new-text-messaging-reminder-system-for-court-users-is-now-available-across-the-commonwealth>; <https://enotify.flcourts.org/Home/FAQs>
- ⁶ https://www.scscourt.org/general_info/contact/feedback.shtml
- ⁷ <https://courts.alaska.gov/contactus/>
- ⁸ <https://uscode.house.gov/view.xhtml?path=/prelim@title15/chapter96&edition=prelim>
- ⁹ [https://content.next.westlaw.com/practical-law/document/l66e3df587a6611e498db8b09b4f043e0/Uniform-Electronic-Transactions-Act-UETA?viewType=FullText&transitionType=Default&contextData=\(sc.Default\)](https://content.next.westlaw.com/practical-law/document/l66e3df587a6611e498db8b09b4f043e0/Uniform-Electronic-Transactions-Act-UETA?viewType=FullText&transitionType=Default&contextData=(sc.Default))
- ¹⁰ <https://www.uspto.gov/sites/default/files/documents/Waiver%20of%20Original%20Handwritten%20Signature%20Requirement%20Due%20to%20the%20COVID-19%20Outbreak%20--%20Signed%20and%20Dated%20--%203-19-2020.pdf>; <https://www.irs.gov/pub/foia/ig/spder/nhq-10-1121-0005.pdf>
- ¹¹ <https://govt.westlaw.com/mdc/Document/NBE5D30008AB311EC80BF5BA0959471B?viewType=FullText&originatio>
[nContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](nContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))
- ¹² <https://www.mass.gov/doc/sjc-order-concerning-electronic-signatures-of-judges-and-clerks/download>
- ¹³ <https://courts.alaska.gov/covid19/docs/statewide-pjo-rules-suspension-1.pdf>
- ¹⁴ <https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/6f29800c-a0ed-466b-8040-e74c3b4a710b/022321-3.pdf>
- ¹⁵ **18 U.S.C. §1746**: <https://www.law.cornell.edu/uscode/text/28/1746>
- ¹⁶ <https://nmonesource.com/nmos/nmra/en/item/5687/index.do#!fragment/undefined/BQCwhgziBcwMYgK4DsDWsBGB7LqC2YATqgJIAm0A5AlwC0ADNdZQJQA0yWALgKYQCKiHoQcEvSmwg8iCQcLGUJUmsADKWQlwBCYgEoBRADL6AagEEAcgGF9bLmAzQuWOCxZA>
- ¹⁷ <https://www.dccourts.gov/sites/default/files/rules-superior-court/Civil%20Rule%209-I.%20Verifications%2C%20Affidavits%2C%20and%20Declarations.pdf>
- ¹⁸ <https://www.supremecourt.ohio.gov/rod/docs/pdf/0/2020/2020-Ohio-3226.pdf>
- ¹⁹ <https://www.dos.pa.gov/OtherServices/Notaries/E-Notary/Documents/History%20of%20Electronic%20and%20Remote%20Notarization%20in%20Pennsylvania%20for%200web.pdf>
- ²⁰ <https://www.michigan.gov/whitmer/news/state-orders-and-directives/2020/09/01/executive-order-2020-173#:~:text=Strict%20compliance%20the%20Michigan%20Law,or%20of%20any%20required%20witnesses.>
- ²¹ <https://www.floridasupremecourt.org/content/download/632105/file/AOSC20-16.pdf>
- ²² <https://setexasrecord.com/stories/510611728-legally-speaking-you-ve-been-served-without-ever-leaving-the-computer>
- ²³ <https://courts.alaska.gov/rules/docs/civ.pdf>
- ²⁴ <https://topics.txcourts.gov/>
- ²⁵ <https://courts.delaware.gov/family/notices.aspx>
- ²⁶ <https://www.dcbar.org/getmedia/86dc3066-da4a-4ad0-bf63-16e0feddd174/affidavit-regarding-electronic-service-during-covid-19-public-health-crisis>
- ²⁷ <https://www.pewresearch.org/journalism/fact-sheet/newspapers/>
- ²⁸ <https://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gcj§ion=3-2201#:~:text=Statutes%20Text&text=%C2%A73%E2%80%93201.,publication%20requirement%20under%20the%20r>
<ule;https://www.njcourts.gov/notices/2020/n201119b.pdf>
- ²⁹ <https://www.lgbtmap.org/img/maps/citations-id-name-change.pdf>
- ³⁰ <https://iapublicnotices.newzgroup.com/>; <https://topics.txcourts.gov/CitationsPublic#>
- ³¹ <https://www.dccourts.gov/sites/default/files/Remote-Hearing-Sites-Tip-Sheet-3.pdf>
- ³² <https://www.legalkiosk.org/locations>

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- ³³ <https://www.courts.ri.gov/Courts/FamilyCourt/Pages/Virtual.aspx>,
- ³⁴ <https://www.cityofeastlansing.com/2167/Virtual-Counter>
- ³⁵ <https://www.clerkofcourt.maricopa.gov/about/meet-cleo>
- ³⁶ <https://www.njcourts.gov/>
- ³⁷ <https://www.lacourt.org/division/traffic/traffic2.aspx>
- ³⁸ https://www.ventura.courts.ca.gov/webinars_shlac.html
- ³⁹ <https://governor.maryland.gov/wp-content/uploads/2020/05/Marriages-5.13.20.pdf>
- ⁴⁰ <https://mdcourts.gov/media/newsitem/2020/item20200729>
- ⁴¹ <https://www.clerkofcourt.maricopa.gov/services/marriage-licenses-passports/marriage-licenses/online-marriage-license>
- ⁴² <https://jportal.mdcourts.gov/license/pblIndex.jsp?ac=y>
- ⁴³ <https://www.pewresearch.org/fact-tank/2018/12/12/more-americans-are-making-no-weekly-purchases-with-cash/>
- ⁴⁴ <https://nrf.com/media-center/press-releases/coronavirus-leads-more-use-contactless-credit-cards-and-mobile-payments>
- ⁴⁵ <https://ujportal.pacourts.us/PAePayFCR>; <https://www.dccourts.gov/services/online-payment>;
<https://eapps.courts.state.va.us/fmsOnline/#/>
- ⁴⁶ <https://ujportal.pacourts.us/PAePayFCR>
- ⁴⁷ <https://wmq.etimspayments.com/pbw/include/arizona/newinput.jsp>
- ⁴⁸ <https://www.ncsc.org/newsroom/at-the-center/2020/may-13>
- ⁴⁹ <https://vimeo.com/showcase/7003975/video/544734235>
- ⁵⁰ <https://www.cookcountycourt.org/ABOUT-THE-COURT/County-Department/Domestic-Violence>
- ⁵¹ <https://www.illinoiscourts.gov/Resources/5a988dae-5e32-472a-ab83-4eebce1f6cae/082720-2.pdf>
- ⁵² <https://probonomd.org/project/courtroom-advocacy/#cpp>
- ⁵³ <https://mdcourts.gov/sites/default/files/import/accesstojustice/pdfs/srlreportfy21.pdf>
- ⁵⁴ <https://eviction-diversion.phila.gov/#/>