

Lisa Marsh - In Re: Adoption of Rule 46A; No. ADM2019-00332

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From: Dusty King <dusty@kingplc.com>
To: "'appellatecourtclerk@tncourts.gov'" <appellatecourtclerk@tncourts.gov>
Date: 2/21/2019 12:58 PM
Subject: In Re: Adoption of Rule 46A; No. ADM2019-00332

Having practiced in the US Bankruptcy Court, Western Section, since it went to the electronic case filing system, I can testify to the ease of use and effectiveness of an e-filing system. My question is whether there are any plans to require the various Clerks to eventually adopt such a system, especially in rural areas of the state. It is imperative that our judicial system get up to speed with the times and allow e-filing. I am certainly in favor of the Proposed Rule 46(A). Thank you.



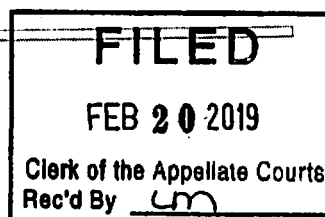
Jay Dustin King, Attorney At Law
Ph: 731-664-6864 | Fax: 731-664-9632
2790-A N Highland Ave | Jackson, TN 38305
www.kingplc.com

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Lisa Marsh - Comments on Proposed Supreme Court Rule 46A

ADM2019-00332

From: Chip Dawson <chip@charlesdawsonlaw.com>
To: <appellatecourtclerk@tncourts.gov>
Date: 2/20/2019 6:16 PM
Subject: Comments on Proposed Supreme Court Rule 46A



I have practiced law in Alabama for over 20 years, and since 2006 electronic filing has been mandatory for licensed attorneys in all trial courts (except juvenile) in all 67 counties. Likewise, the presumption of the perfection of service upon the successful completion of the e-filing of any pleading, proposed order or other documents was built-in. Many older practitioners found it difficult in the beginning; however, it has now become routine for all but the most intractable. It allows attorneys to appear and plead within deadlines without mail, paper or driving to far-flung courthouses. It relieves clerk's office personnel of the extra burden of entering the documents into the case action summary since e-filing also automatically creates the CAS entry. It allows for the submission of proposed orders creating an alert for the receiving judge.

I have been practicing in Tennessee for 2 years. E-filing of any sort would be tremendously helpful, but it would be especially helpful if it were uniform and state-wide, not elective by county. An associate of mine licensed in Georgia has been dealing with the fact that, in that state, e-filing is elective and counties may choose from 3 different providers. It is neither seamless nor equivalent across the various providers.

While many practitioners are familiar with the Federal Courts' ECF system, it is on occasion more difficult than it needs to be, though it is uniform.

I would recommend the courts look at the AlaCourt/AlaFile system in place in Alabama (which was modeled on a similar system in, I believe, Colorado). Here is the AOC link:

<http://efile.alacourt.gov/default.aspx>

And here is a link to an article from 2006 when AlaCourt/AlaFile was announced.

<https://fcw.com/articles/2006/02/13/alabama-introduces-court-efiling-system.aspx>

Chip Dawson • Attorney
LAW OFFICE OF CHARLES C. DAWSON, JR., LLC
Phone: (205)516-3132 • Toll-Free Fax: (855)516-3132
chip@charlesdawsonlaw.com
www.charlesdawsonlaw.com

Admitted in Alabama and Tennessee