

HSBA BENCH-BAR CONFERENCE
OCTOBER 11, 2019
CIRCUIT COURT CIVIL JIMS/JEFS
COMING SOON
MONDAY, OCTOBER 28, 2019

Civil JIMS will Go Live:

Oct 7 – DISTRICT COURT CIVIL

Oct 28 – CIRCUIT COURT CIVIL

Nov. 18 – LAND/TAX APPEAL COURT

THINGS TO KNOW
ABOUT CIVIL JEFS

[“JEFS” means Judiciary Electronic Filing System]

1. Distinguish JIMS from JEFS

-“**JIMS**” = Judiciary Information Management System

-is the overall computer management system for the entire legal community.

-Lawyers, judges, & judiciary staff work in the JIMS system

-“**JEFS**” = Judiciary Electronic Filing System

-only lawyers use JEFS to efile documents.

2. Hoohiki **Black Out** 1 Week Before Go Live Dates

No new update information will be put into Hoohiki the **week before** Go Live

- documents filed over the counter in existing cases during black out week will NOT be available in Hoohiki
- all online data for all cases, including old cases, will eventually be available online in JIMS

3. Court rules you should know about and read:

- Hawaii Rules of Civil Procedure
- Rules of the Cir Cts of the State of Hawaii
- Hawaii Electronic Filing and Service Rules
- Hawaii Court Records Rules

4. JEFS is **mandatory** for all attorneys

- No grace period (all attorneys shall efile beginning on Go Live date of October 28, 2019 and going forward)

5. Documents filed must be in **PDF** format

-“PDF” means “**P**ortable **D**ocument **F**ormat”
(cannot alter or modify)

-“**Lead document**” (defined in HEFSR 1.10 as “a document to which exhibits are attached”) includes all documents filed as a single document, except for exhibits.

-**Exhibits** must be filed **separately** from lead document. (HEFSR 2.3)

-what “**separately file**” means:

-when efileing,

-call up a first screen on JEFS to efile your **lead** document

-then call up a second screen on JEFS to efile a **second** document

-then call up a third screen on JEFS to efile a **third** document

-etc.

-the process of calling up a successive screen on JEFS to efile a document is what “filing separately” means

-any single document that is efiled cannot exceed **10 megabytes**. (HEFSR 2.3)

-megabytes do not translate into pages

-10 megabytes of data affected by:

-resolution of computer print

-photos eat up a lot of megabytes

-Need to be precise when typing **codes** when efileing.

6. **Service** of documents is **automatic** for attorneys on the case. (HESFR 6.1)

-Service by **conventional mail** is required for self-represented parties without JEFS e-filing privileges.

-NEF is via your business **email** system (i.e., not JIMS system) notification.

-Since your business email system is a **separate system** from JEFS, there is **no link** to view the actual document referenced in the NEF.

-why no link? -**unresolved policy** on complex issues such as security

-email can be **forwarded** to anyone, even non-parties. So, non-parties can have access if link. There are possible security issues if non-parties can link.

-only Parties get the NEF. Therefore, you must **add yourself as a party** on your case if you want to get the NEF.

7. Who can **see or access** a document?

-**"Sealed"** is **VERY different** from before

-**all parties can view** a sealed document

-sealed status only **prevents the public** from viewing a "sealed" document.

-**"In Camera"** - No one can view except judge.

-“**Restricted Access**” – Judge will determine who can view the document.

-E.g., if the case is a case between business competitors.

-trade secret documents maybe can be viewed only by non-competitor parties.

8. In **Circuit Court** only – 2 hard copies of documents for court action are required.

-**Motions**

-hearing

-nonhearing

-ex parte

-all **memoranda**

-**supplemental** documents

-**anything related** to any request for **court relief**

-**confidential settlement conference letters**

9. **Hearing Dates**

-**Neighbor Islands**

-courts may be handling hearing dates informally by telephone or email. Ask how they wish to handle getting hearing dates.

-**1st cir** – different because of volume of motions

-email motion and memo in support (no

exhibits) to division email of presiding judge.

-Judge will either email hearing date back or efile an event document with a Notice of Court Date by email.

10. JEFS **not available** for efilings:

-**Weekdays** (M-F)

-12:00 midnight to 4:00 am

-- system maintenance

-**Weekend** (Sat & Sun)

-Sat 12:00 midnight to Sun 12:00 noon

11. If you need **HELP** when JEFS Civil goes live

-**Step-by-step** prompts where to go for help:

-Step 1: Log onto the Judiciary website:
<https://www.courts.state.hi.us>

-Step 2: click on "efiling" along the left side of page

-Step 3: you will see a topic heading entitled:
"JEFS Training and Information"

-you will see listed:

-Help phone numbers

-Email addresses for all court clerk's offices

-Step 4: for more training and general JEFS information, click on "JEFS TRAINING AND INFORMATION"

-Additional training and other general JEFS information will appear, including:

-Training videos

-Training documents

-Rules

-General information

1) Call the **help numbers**

-for a couple of weeks beginning on the go live dates, every circuit in the Judiciary will have a **help number** to call for help.

-numbers are posted on the Judiciary website.

-should also be posted on the HSBA website.

-after a couple of weeks,

-**neighbor islands**, help number will remain the same.

-**1st Cir**: Number may change. So you can find the number on the Judiciary website

JEFS training and “how to” information:

2) If you **missed** training or if you can use a training **refresher** re JEFs operation, please avail yourself of the Judiciary **website videos**:

- JEFS Registration
- JEFS 101 Overview
- JEFS Case Create
- JEFS Filing Documents on an Existing Case
- JEFS Management of Case
- JEFS Make Payment
- JEFS Manage Payments

12. Re **Online Payment**

-If a filing fee is required, you can pay **now** or **defer** payment a few days

-If you pay **now** when e-filing your document:

-use credit card – fill in the payment screen

-**2.6%** transactional processing fee is added to the total filing fee (the Judiciary does not retain any of this fee—it all goes to the vendor).

-If you **defer** payment:

-you have **10 days** to pay online.

-if you **fail** to timely pay, you will get a **notice** that the document will be stricken, whether it is a complaint or a motion.

13. Frequently Asked Questions

-One additional resource of information is the "**Frequently Asked Questions**" service.

-**Step-by-step** prompts where to go for Frequently Asked Questions:

-Step 1: Log onto the Judiciary website:
<https://www.courts.state.hi.us>

-Step 2: click on "**efiling**" along the left side of page

-Step 3: you will see a topic heading entitled: "JEFS TRAINING AND INFORMATION." Click on "**JEFS TRAINING AND INFORMATION.**"

-Step 4: Scroll down to the "**Training Documents**" heading.

Under Training Documents, look for the third subheading and you will find "**Frequently Asked Questions (FAQs).**"

Under Frequently Asked Questions, you will see three items listed:

-Efiling Circuit Court/Family Court Criminal Questions & Answers

-Efiling Frequently Asked Questions

-My Documents and All Firm Do

You can **click** on the item of interest to you and the information will be revealed

-The FAQ feature is a **live, interactive** feature. You may pose your specific question and Judiciary staff will answer your question. If your question was previously answered, you may be referred to the prior answer.