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NH e-Court Project Slowed, Shifts Focus

The NH Judicial Branch's effort to create a paperless court system, the NH e-Court project, has been slowed by a funding cut, forcing a shift in its approach.

At briefings with government organizations and the legal community last month, court officials said the focus now is on generating immediate results by implementing all-digital processing for a single, high-volume case-type – small-claims cases – that will demonstrate the value and efficiency of electronic processing and e-filing.

Court officials are hoping to select a vendor and implement the e-Court system for small-claims cases in at least one court in 2013.

In a statement and in an interview with the *Concord Monitor*, Chief Justice Linda Dalianis emphasized that the court has not changed the scope of the project, and, behind the scenes, continues to work on the vision of a comprehensive electronic court.

"It is important to point out that the small claims project is a proving ground for construction of an e-Court system for all case types," Dalianis noted in a statement posted on the court's website. "The e-Court project team has been planning and designing the foundation needed for e-filing of all case types at the same time that they have been getting ready to launch e-Court for small claims cases. Findings from the small claims rollout will be applied to e-Court for all case types."

"At the same time that they are doing the work to launch the small claims process, they are constructing a blueprint for the hardware and software needed for a modern e-court system for New Hampshire. That is our mission and it has not changed," Dalianis wrote.

After allocating \$3 million for the initial year of the e-Court project, the NH Legislature did not approve supplemental funding for the second year of the budget cycle, after the court indicated that its initial estimate of the total project cost of \$5 million was too low.

At an NHBA•CLE event where Justice Gary Hicks briefed attendees on the e-Court project, an attorney speculated that the number of small-claims cases will rise if filings are easily done electronically. Justice Hicks said that he has not heard whether this has occurred in other jurisdictions with e-filing.

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NH e-Court Project FAST FACTS

- Overall, in FY 12-13, \$3 million in funding was allocated for NH e-Court Initiative and related projects (Capital budget: \$1.9 m. NH e-Court initiative; \$500,000 video-conferencing; and \$57,000 Circuit Court Call Center). The Joint Fiscal Committee and Governor and Council in September 2012 approved an additional \$500,000 in the operating budget for a jury management system.
- The legislature provided that the Judicial Branch could request additional operating funds in FY 13, contingent upon the successful implementation of the Innovation Commission recommendations and a reduction in the number of full-time non-judicial positions. Quarterly progress reports were required to be filed with the Joint Fiscal Committee and are published on the [Judicial Branch website](#).
- It was expected that \$1.9 m would be sufficient to launch a pilot project in the Superior Court in 2013.

- **Spring 2012--** Following a determination by the NH e-Court Project manager that the project was initially undercapitalized, the Judicial Branch requested a \$1.2 million supplemental appropriation of capital funds for FY 12-13. The funding would have been used for software needed for the NH e-Court project.
- The request for \$1.2 m in supplemental funds was attached as an amendment to HB 1205 by the Senate Capital Budget Committee late in the legislative session. The bill was approved by the Senate and sent over to the House which requested a conference committee because the bill had been changed. The bill died in the conference committee.
- **Current Status:** The Judicial Branch will continue building the digital infrastructure for the entire e-Court project. Because the project was undercapitalized, and because we did not receive the supplemental capital appropriation expected during the last legislative session, the timeline for the overall project is slowed down. The spring 2013 pilot project will now focus on a single case type—Small Claims—instead of a whole court. Small claims is one of the highest volume cases in the court system. More than 14,000 small claims cases are filed in the Circuit Court each year. Electronic filing in small claims cases will provide enormous efficiencies for citizens, particularly unrepresented parties, and small businesses that currently file these complaints over the counter in the clerk's office, or by mail. (*See status report from Chief Justice Dalianis, 09.14.12*).
- Information gathered and infrastructure developed during the Small Claims rollout will be applied to all e-Court case types.

More information about the NH e-Court Project is posted on the [court's website](#).



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