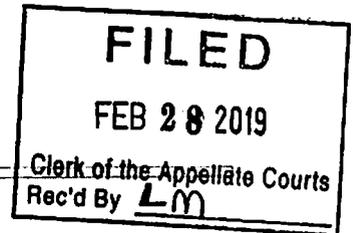


Lisa Marsh - Docket No. ADM2019-00332; Adoption of Rule 46A



From: "David R. Grimmett" <dgrimmett@grimmettlawfirm.com>
To: "appellatecourtclerk@tncourts.gov" <appellatecourtclerk@tncourts.gov>
Date: 2/28/2019 11:15 PM
Subject: Docket No. ADM2019-00332; Adoption of Rule 46A

Dear Sir or Madam,

Thank you for taking the time to investigate the possibility of e-filing in Tennessee. I have practiced in this state since 2005 and e-filing is very much long overdue at the local level. In reviewing the Order, the only concern I foresee is some users may interpret e-mail as the same thing as e-file considering "e-file means the electronic submission of documents through an e-filing system to the clerk of the court." A pro-se litigant might interpret this to mean that an e-mail to the clerk would qualify as an "e-file." In order to alleviate this concern, I would suggest having a comment regarding the applicability of this rule compared to e-mail service or a cross reference to rule 5.02. Currently, there is no reference to Rule 5.02 and instead is a broad reference to the "applicable rules of procedure" found in subsection 3.

Thank you again for working so hard to implement an e-filing system. This will certainly help to minimize costs to litigants as well as expedite the litigation process.

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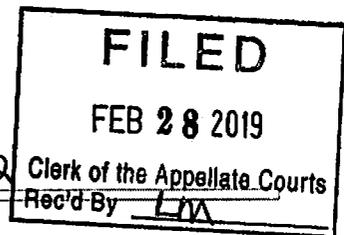
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Lisa Marsh - Proposed Rule 46A Comment

ADM2019-00332



From: Bill Miller <bill@williamemiller.com>
To: "appellatecourtclerk@tncourts.gov" <appellatecourtclerk@tncourts.gov>
Date: 2/28/2019 10:21 AM
Subject: Proposed Rule 46A Comment

Dear Sir or Madam:

I am writing about proposed Rule 46A, and strongly encourage its approval and rapid application. I do have one concern that is not specifically addressed in the proposed Rule. One of the difficulties we face in real estate law (where electronic filing is substantially ahead of the courts) is that each county has a divergent system. This often leads to attorneys having to subscribe to multiple systems to electronically file documents. It would be ideal if there was either one vendor handling electronic filing state wide, or alternatively, a uniform method for filing, rather than leaving that up to each individual district.

Frankly, with economies of scale in this industry, it might be cheaper for the AOC to contract with a vendor to provide this service for all courts of record state wide using uniform file submission guidelines. The vendor could be responsible for actual delivery of the documents to the court clerks.

The type of uniformity I am seeking is that if this is not a unified system, as I have proposed, that all courts require the same electronic file format (say PDF) and that the process for e-filing is largely identical in all districts. Shelby county has had a fabulous online e-file system for some time, and it works well. It might be a good model for the remainder of the districts.

Finally, as a frequent litigator in General Sessions court, e-filing is most desperately needed there, where the case volumes are much higher than in the other courts.

Sincerely,

William E. Miller
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FEB 21 2019

Clerk of the Appellate Courts
Rec'd By cm

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

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.



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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

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FEB 20 2019
Clerk of the Appellate Courts Rec'd By <u>um</u>

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>

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