



PRACTICE DIRECTION No. 5A OF 2020

CAYMAN JUDICIAL ADMINISTRATION CASE MANAGEMENT SYSTEM (JEMS)

FAMILY REGISTRY

ELECTRONIC FILING OF COURT REPORTS

FROM THE DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS)

OBJECTIVE:

To deliver reports, electronically to the Courts in respect of Summary and Grand Courts in order to facilitate timely receipt and accessibility by the judiciary, attorneys, parties and relevant agencies.

JEMS is the Judicial Administration's Electronic Management System; it allows for electronic filing and viewing of documents stored in the system to authorized users.

BENEFITS:

- To provide reports to the judiciary in advance of hearing.
- To allow image to be viewed conveniently on JEMS by those with authorized access only.
- To ensure faster response time in processing reports.
- Reduce attendance of DCFS personnel at front counter filing reports.
- Allow PA to print reports for judges or magistrates in advance of hearing.

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1. AUTHORITY

Electronic filing of court reports is achieved by lodging reports electronically to the Family Proceedings Unit of Judicial Administration in accordance with Standards and Principles established by the Clerk of Court with the approval of the Chief Justice.

2. EFFECTIVE DATE

The electronic filing of the reports described below is effective as of the 6th April 2020 until further notice.

3. ELECTRONIC FILING REPORT TYPES

A. The Clerk of Court with the approval of the Chief Justice hereby authorizes the filing electronically of the reports described in B below. From time-to-time, additional documents may be authorized to be processed in this way. Documents filed previously in the conventional manner will be scanned and included in the electronic case file.

B. The following documents may be filed electronically:

1. Case Status Reports
2. Other reports from DCFS in relation to Care Matters;
3. Domestic Violence cases, Family Cases, Divorces Matters, Adoption matters and Welfare Reports that relate to Summary Court, Civil Maintenance and Grand Court Civil matters.

that relate to:

- (a) Summary Court (Civil)
- (b) Grand Court (civil – indictment)
- (c) Youth Court (civil)
- (d) Drug Court

4. DEFINITIONS

The following terms are defined as follows:

- A. Conventional manner of filing - The filing of paper documents with the Civil/Family Registry.
- B. Electronic Document ("e-document") - An electronic file containing informational text.
- C. Electronic Filing ("e-file") - An electronic transmission of information between the Department and Judicial Administration
- D. Electronic Image ("e-image") - An electronic representation of a document that has been transformed to a graphical or image format.

- E. Portable Document Format (PDF) - A file format that preserves all fonts, formatting colors and graphics of any source document regardless of the application platform used.
- F. Subscriber - One contracting to use the E-Filing system. For the reports covered by this authority, this will be staff of the Civil Registry and Family Proceedings Unit (“FPU”) of the Judicial Administration, DCFS, the parties, the attorney acting in an individual case to which the report relates and any other relevant external agency. Other subscribers may be added by the Clerk of Court (after consultation with the DCFS) having regard for the protection of confidential information.

5. METHOD OF FILING

- DCFS to e-file report to Judicial Administration through FTP Server by scanning the report to a folder identified on the judicial administration system (this should be at least 36 working hours before the court hearing date).
- In sending the scan, DCFS **must** include the proper case number (e.g. FAM 0001/2014 or (for Summary Court) SMA0198/2014 (preceded by BC or BT for Brac Courts)) as part of the scanning reference entered into the machine from which the document is scanned:
 - Reports transmitted without a case number as the reference will be rejected.
 - Reports that do not contain on the first page clear reference to the case number **and** the hearing date will be rejected.
- Civil Registry or Family Proceedings Unit staff will check the folder each working day before 9:00 am. and upload any report to JEMS with the e-sealing certification and date stamp (there is an accompanying “how to” document for Registry staff);
- Civil Registry/Family Proceedings Unit staff will forward the report to the Judge/Magistrate, any attorney identified in the JEMs records and/or the parties themselves
- Civil Registry and Family Proceedings staff will create an e-record of the report, date stamp and e-seal and upload in JEMs, and place it in the court file.
- Once in JEMS, reports can be viewed and printed (if needed) by PA to the Judge or Magistrate (or the Judge or Magistrate themselves).
- The PAs to Judges and Magistrates will also be able to access the folder into which the report will be scanned in order to view reports not yet uploaded into JEMS (i.e. on the day sent to the court where it is sent after 9:00am) and to print them but must not delete the report from the folder.

6. PRIVACY ISSUES

Since these reports contain personal information, they will be set up within JEMS so that they can be viewed only by subscribers (i.e. authorized personnel) (see 4F above).

7. FORMAT OF DOCUMENTS

All uploaded reports created by word processing programs must be formatted as follows:

- (a) the size of the type in the body of the text must be no less than 11 point font ideally Calibri or Arial as these are widely recognized as the clearest fonts – clarity will be particularly important for those viewing the reports within JEMS)

- (b) where footnotes are used, these should be no less than 8 point font;
- (c) the size of the page must be 8-1/2 by 11 inches (i.e. letter);
- (d) the margins on each side of the page should be 1 inch (2.4cm);
- (e) the top right 2" x 2" corner of the first page of each Report must be left blank – this will allow the Clerk of the Court's date stamp to be applied without concealing text;
- (f) each report must include:
 - a. the hearing date,
 - b. the parties' name,
 - c. the case number,
 - d. the name, physical and e-mail address and telephone number of the person filing the report.

The maximum file size for the submission of electronically filed documents is currently 8 MB; this is likely to be more than sufficient for almost all reports.

If a report is too large to transmit, the person seeking to file the report should contact the Supervisor of the Civil Registry or the Family Unit to decide how to proceed. If necessary a facility such as *WeTransfer* (wetransfer.com) may need to be used.

8. SYSTEM OR USER ERRORS

Inevitably problems will arise in using this system. Judicial Administration is committed to working with other subscribers to maximize the benefits of electronic filing and will do all that it can to support subscribers in implementing this procedure.

If a problem appears to arise from the technical operation of the JEMS system or the scanning process, it will be referred initially to the Clerk of Court for onward transmission to the Judicial Administration Network and IT Department. Unless exceptionally urgent, this should be a written description of the problem.

If a problem arises from the receipt or management of documents filed under this procedure, the primary point of contact for Judicial Administration will be the Supervisor of the Civil Registry/Family Proceedings Unit or, in their absence, the Senior Deputy Clerk of Court, Ms. Jenesha Simpson and for DCFS it will be the Senior DCFS Social Case Manager.

Shiona Allenger

Clerk of Court

Issued by approval of the Chief Justice on 6 April 2020.