

2B:1-4

LEGISLATIVE HISTORY CHECKLIST
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(Electronic access--court computer)

SA: 2B:1-4

LAWS OF: 1994 **CHAPTER:** 54

BILL NO: A1149

SPONSOR(S): Stuhltrager and Collins

DATE INTRODUCED: February 7, 1994

COMMITTEE: **ASSEMBLY:** Appropriations; Judiciary
SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** March 28, 1994
SENATE: May 23, 1994

DATE OF APPROVAL: June 24, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes 3-15-94 & [redacted] 2-7-94
SENATE: No

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

2025 RELEASE UNDER E.O. 14176
 INFORMATION FROM THE
 NATIONAL ARCHIVES

P.L.1994, CHAPTER 54, approved June 24, 1994
1994 Assembly No. 1149

1 AN ACT concerning electronic access to court records and
2 supplementing Title 2B of the New Jersey Statutes.

3
4 BE IT ENACTED by the Senate and General Assembly of the
5 State of New Jersey:

6 1. Electronic Access to Court Records.

7 a. The Administrative Office of the Courts is authorized to
8 develop and operate an automated data processing system that
9 allows the public to access court information and to file court
10 documents, pursuant to such directives, rules and regulations as
11 the Supreme Court may adopt.

12 b. Individuals, organizations or governmental agencies who
13 request automated or electronic access through common carrier
14 telephone company communications to computerized record
15 information maintained by the Administrative Office of the
16 Courts and the Judiciary, or who request the option to file legal
17 court case information using a computer-to-computer link
18 through common carrier telephone company communication, in
19 addition to any other applicable fees, shall pay for the cost of
20 this service according to fee schedules adopted by the Supreme
21 Court.

22 c. The proceeds collected by the Administrative Office of the
23 Courts pursuant to this act shall be deposited in the "Court
24 Computer Information System Fund" which is hereby established
25 as a separate fund in the General Fund, to be administered by the
26 Administrative Office of the Courts and dedicated to the
27 development, establishment, operation and maintenance of
28 computerized court information systems in the Judiciary.

29 d. Subject to the approval of the Supreme Court, the
30 Administrative Office of the Courts is authorized to contract
31 with governmental agencies or corporations for their assistance
32 in the development, establishment, operation and maintenance of
33 the automated system created in accordance with this act. Such
34 assistance may include the initial collection of user fees and
35 other proceeds for the system and may be paid for from the fees
36 and proceeds collected under this act. The net fees and proceeds
37 so collected shall be deposited in the "Court Computer
38 Information Systems Fund" created by this act.

39 2. This act shall take effect immediately.
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42 STATEMENT
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44 This bill would authorize the Administrative Office of the
45 Courts to develop and operate a computer system that would

1 allow electronic access to court information and would allow the
2 public to file court documents electronically. The AOC would
3 establish a fee schedule for use of the computer system. Fees so
4 collected would be deposited in a "Court Computer Information
5 Systems Fund," which would be dedicated to the development,
6 operation and maintenance of computerized court information
7 systems.

8 The bill also authorizes the AOC to contract with
9 governmental agencies or corporations for their assistance.

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14 Authorizes development and operation of computer system which
15 would allow electronic access to, and electronic filing of, court
16 records.

ASSEMBLY, No. 1149

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 7, 1994

By Assemblymen STUHLTRAGER and COLLINS

1 **AN ACT** concerning electronic access to court records and
2 **supplementing** Title 2B of the New Jersey Statutes.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the
5 **State of New Jersey:**

6 **1. Electronic Access to Court Records.**

7 **a. The Administrative Office of the Courts is authorized to**
8 **develop and operate an automated data processing system that**
9 **allows the public to access court information and to file court**
10 **documents, pursuant to such directives, rules and regulations as**
11 **the Supreme Court may adopt.**

12 **b. Individuals, organizations or governmental agencies who**
13 **request automated or electronic access through common carrier**
14 **telephone company communications to computerized record**
15 **information maintained by the Administrative Office of the**
16 **Courts and the Judiciary, or who request the option to file legal**
17 **court case information using a computer-to-computer link**
18 **through common carrier telephone company communication, in**
19 **addition to any other applicable fees, shall pay for the cost of**
20 **this service according to fee schedules adopted by the Supreme**
21 **Court.**

22 **c. The proceeds collected by the Administrative Office of the**
23 **Courts pursuant to this act shall be deposited in the "Court**
24 **Computer Information System Fund" which is hereby established**
25 **as a separate fund in the General Fund, to be administered by the**
26 **Administrative Office of the Courts and dedicated to the**
27 **development, establishment, operation and maintenance of**
28 **computerized court information systems in the Judiciary.**

29 **d. Subject to the approval of the Supreme Court, the**
30 **Administrative Office of the Courts is authorized to contract**
31 **with governmental agencies or corporations for their assistance**
32 **in the development, establishment, operation and maintenance of**
33 **the automated system created in accordance with this act. Such**
34 **assistance may include the initial collection of user fees and**
35 **other proceeds for the system and may be paid for from the fees**
36 **and proceeds collected under this act. The net fees and proceeds**
37 **so collected shall be deposited in the "Court Computer**
38 **Information Systems Fund" created by this act.**

39 **2. This act shall take effect immediately.**

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STATEMENT

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**This bill would authorize the Administrative Office of the
Courts to develop and operate a computer system that would**

1 allow electronic access to court information and would allow the
2 public to file court documents electronically. The AOC would
3 establish a fee schedule for use of the computer system. Fees so
4 collected would be deposited in a "Court Computer Information
5 Systems Fund," which would be dedicated to the development,
6 operation and maintenance of computerized court information
7 systems.

8 The bill also authorizes the AOC to contract with
9 governmental agencies or corporations for their assistance.

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14 Authorizes development and operation of computer system which
15 would allow electronic access to, and electronic filing of, court
16 records.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1149

STATE OF NEW JERSEY

DATED: MARCH 15, 1994

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1149.

Assembly Bill No. 1149 authorizes the Administrative Office of the Courts (AOC) to develop and operate a computer system that would allow electronic access to court information and would allow the public to file court documents electronically, subject to directives, rules and regulations adopted by the Supreme Court.

The bill authorizes the AOC to contract, subject to the approval of the Supreme Court, with governmental agencies or corporations for assistance in the development, operation and maintenance of the system.

This system is intended to provide an alternative to the current system of access to information and filing, not to supplant the current system. A pilot program has been operating with nine law firms, permitting the firms to make inquiries by computer.

The AOC would establish a fee schedule for use of the computer system by individuals, organizations or governmental agencies. Fees so collected would be deposited in a "Court Computer Information Systems Fund," which would be dedicated to the development, operation and maintenance of computerized court information systems and would be administered by the AOC.

FISCAL IMPACT:

Based on use experience from the pilot program with nine users, a hypothetical user fee of one dollar per minute and projected staff, hardware, software and services costs, the AOC estimates: first year costs of \$34,311 and fees of \$36,750; second year costs of \$581,078 and fees of \$588,000; and third year costs of \$860,568 and fees of \$882,000. The first year AOC cost and fee estimates are based on predictions that the program can be expanded to 50 system users in the first year with additional staff and using only the pilot program hardware and software. The second and third year cost and fee estimates are based on predictions that the system could be expanded to 200 users by FY 1995 and 300 users by FY 1996 with further staff increases and additional hardware, software and service costs.

**ASSEMBLY JUDICIARY, LAW AND PUBLIC SAFETY
COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 1149

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 1994

The Assembly Judiciary, Law and Public Safety Committee reports favorably Assembly Bill No. 1149.

This bill would authorize the Administrative Office of the Courts to develop and operate a computer system that would allow electronic access to court information and would allow the public to file court documents electronically. This access and filing would be subject to directives, rules and regulations adopted by the Supreme Court.

The AOC would establish a fee schedule for use of the computer system by individuals, organizations or governmental agencies. Fees so collected would be deposited in a "Court Computer Information Systems Fund," which would be dedicated to the development, operation and maintenance of computerized court information systems and would be administered by the AOC.

The bill also authorizes the AOC to contract with governmental agencies or corporations for their assistance, subject to the approval of the Supreme Court.

This system is intended to provide an alternative to the current system of access to information and filing, not to supplant the current system. The objective is to have the users fund the system fully. A pilot program has been operating with nine law firms permitting them to make inquiries by computer.

**FISCAL NOTE TO
ASSEMBLY, No. 1149**

STATE OF NEW JERSEY

DATED: MARCH 21, 1994

Assembly Bill No. 1149 of 1994 authorizes the Administrative Office of the Courts (AOC) to develop and operate a computer system that would allow electronic access to court information and allow the public to file court documents electronically.

The bill directs the Supreme Court to establish a fee schedule for use of the system by individuals, organizations or governmental agencies and establishes the "Court Computer Information Systems Fund," into which all fees will be deposited. This fund will be dedicated to the development, operation and maintenance of computerized court information systems and be administered by the AOC.

The AOC estimates that assuming an April 1994 enactment, there will be 50 users contributing \$36,750 in fee revenue in FY 1994, 200 users contributing \$588,000 in fee revenue in FY 1995, and 300 users contributing \$882,000 in fee revenue in FY 1996. The projected revenue is based on a hypothetical cost to the users of one dollar per minute and an average usage of 2,940 minutes per user.

According to the AOC, current hardware and software are sufficient to accommodate the first 50 users of the system. An additional 5 employees would be required to operate the system, for a pro-rated first year salary cost of \$28,928. Processing and communications costs would total \$7,383, for a first-year cost of \$34,311 and a first-year surplus of \$2,439.

For the second year the AOC estimates \$260,812 in salary and fringe benefits costs for 6 employees, \$138,126 in processing and communications costs, \$37,000 in administrative costs, and \$145,140 in software, hardware and other costs, totalling \$581,078 with a surplus of \$8,922.

Third-year costs would total \$367,019 in salary and fringe benefits for 7 employees, \$212,192 in processing and communications costs, \$30,000 in administrative costs, and \$251,347 in software, hardware and other costs, totalling \$860,558 with a surplus of \$21,442.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.