**Judicial Council of California**

**E-Filing Services for the Superior Courts of California**

**RFP #BAP-2017-01-PC**

**RFP QUESTIONS AND ANSWERS**

**POSTED APRIL 11, 2017**

The following questions were asked during the Mandatory Proposer’s Conference on March 24, 2017.

1. What percentage of transactions will be attributed to the indigent and governmental filers? **ANSWER:** Please see Table 4 of Exhibit 9 of the RFP for an estimate of the civil indigent filings. It is likely that the vast majority of criminal filings will be government or indigent.
2. FM 128 What is the centralized registry? Are funds collected by EFSP? **ANSWER:** The central registry is an identity and access manager IAM application used by all EFSPs, EFMs, and participating courts. Funds are collected by independent EFSPs not contracted under the master agreement.
3. Is the reason for the Centralized Registry to ensure proper audit trail and authenticate users? **ANSWER**: The central registry is intended to provide economies of scale and support multijurisdictional filers. Identity management will be used in maintaining an audit trail.
4. Will the EFSP collect money through the EFM, or pay the court directly? **ANSWER**: The I/GA EFSP will not collect money. An independent EFSP will not employ the EFM to collect money. Please see RFP Exhibit 9 Section III for general concepts of the role of an EFSP.
5. If the EFSP pays the Court directly, will the EFSP record to the EFM the information about the payment to the court, such as date of money transfer, method of payment, account information, total amount, breakdown of amounts based on case information, EFSP transaction information, EFM transaction information, Court response information, and so forth? **ANSWER**: Yes.
6. Will courts implement only either criminal or civil cases on the EFM and EFSP? **ANSWER**: Courts will employ the EFM and I/GA EFSP service provider for all case types. This will be a non-exclusive engagement. A participating court may engage with more than one service provider.
7. Will the JCC establish the certification process including business and technical requirements and use cases or will the EFM vendors establish the business and technical requirements and use cases that the EFSPs will have to comply with before certification? **ANSWER**: The JCC will establish a certification process applicable to EFSP, EFM, and CMS applications involved in e-filing related to this Master Agreement. The EFM providers will participate with the JCC in defining the actual process, requirements and use cases for this certification. EFM application providers will have input. However, these processes, requirements and use cases will be developed, managed, and maintained by the JCC and standardized across EFM application providers.
8. Under section 2.2.1: How will electronic service to parties work? What is the JCC's preference, for the EFSP or the EFM to host the Eservice? **ANSWER**: The EFSP will provide electronic service. The EFM will maintain the Eservice list.
9. Will prosecutors send charges through the system, or only documents? **ANSWER**: Prosecutors will send charges through the I/GA EFSP and EFM to the Court CMS. This will be done in accord with the California implementation of ECF and the individual court’s Policy File provided to the EFM.
10. Will the EFM be responsible for validating the charges codes? **ANSWER**: Yes, based on the court’s Policy File
11. Will the EFM have access to policy and filing rules? **ANSWER**: Yes. They will be provided in the individual court’s Policy File.
12. FM-0136 requires functionality that would normally be performed by RecordFiling within the ECF standard. The inclusion of this requirement implies that there are CMS systems that do not support the ECF standard. To fulfill this requirement, will the EFM vendor need to develop functionality for the other vendor's CMS to perform case updates including the creation of ROA entries?  **ANSWER**: All requirements are in the context of interoperation with California ECF Standard conformant applications. While there are CMSs that are not conformant, this RFP does not require EFM interoperability with a non-conformant CMS.
13. Exhibit 2, section FSP 0075: It is mandatory for the court payment method to capture fees. Does this apply to the governmental/indigent filings, or the for-profit? **ANSWER**: The requirement ID SP-0075 in Exhibit 2 which states “The EFSP must support at least one payment method and may support multiple methods (credit card, e-check, draw down accounts, net billing) to facilitate capture of fees” and is marked as mandatory does not apply to governmental/indigent filings. This requirement will be deleted.
14. How will a filer who is rejected for a fee waiver be handled? **ANSWER**: The filer will be notified by the EFM and EFSP that the fee waiver was denied and they have a court defined number of days to pay or the filing will be voided.

The following questions were submitted to the Solicitation Mailbox.

1. The RFP states that JCC seeks an agreement with suitable vendors that can provide both an electronic filing manager (EFM) and an indigent/government agency (I/GA) electronic filing service provider (EFSP) solution that can be employed by the courts to expand the adoption of e-filing.  If a potential EFSP chooses not to bid on this particular combined EFM and I/GA EFSP solution, will that EFSP still be able to participate as a statewide EFSP through an integration with the four “core” Case Management System providers? **ANSWER**: The EFSP would be able to participate as a statewide EFSP through integration with the EFMs selected under this master agreement.
2. During the Mandatory Proposer’s Conference there was much discussion surrounding how vendors that choose to participate can derive revenue from the project.
   1. Can an EFM provider charge a Superior Court to join the EFM? Please explain. **ANSWER**: No, there can be no direct costs paid by the court.
   2. Can a Superior Court EFM provider charge fees to other/existing EFSPs to join a particular court’s EFM? Please explain. **ANSWER**: Yes. The EFM application service provider must disclose all fees charged to any parties related to the delivery of services under this master agreement. See Section V of RFP Exhibit 8.
3. RFP Reference: FM-0038 - The system must provide the ability for users to set ticklers and reminders regarding documents in a user or workgroup queue needing action based on user-specified variable timing requirements. Please provide a sample use case for this functionality including the type of user-specified variable timing requirements that might be used. **ANSWER**: The EFM filing review function must provide work queues for filings. If one or more of the items in the queue attain a user defined age and/or status in that queue, a specified user is notified. For example, a court may have an aging policy where items in a queue that are over 4 hours old, a filing supervisor is notified.
4. RFP Reference: FM-0090 - The system must validate attorney information between e-filing and CMS. Please provide a sample use case for this functionality including the attorney validations that are desired. **ANSWER**: The EFM must employ the IAM to verify the identity and, if applicable, the Bar number of the filer.
5. RFP Reference: SP-0008 - “When the system attempts to send data to the CMS and the CMS is unable to accept data (i.e., it is offline or not functioning), court staff will receive notification that such an event has occurred. This notification should be an on-screen display and an e-mail alert to appropriate staff.” Please clarify this requirement. Typically, the EFSP would be sending data to the EFM and not the CMS. It would be the EFM that would not be able to send the data to the CMS. Should this requirement refer to the EFM rather than the CMS? **ANSWER**: The requirement ID SP-008 in Exhibit 2 will be moved to Exhibit 1 as requirement FM-0141.
6. RFP Reference: SP-0032 - The e-filing system must provide the capability to automatically generate additional documents (e.g., instructions for the plaintiff for service of process) based on the filing type and make them accessible for the user. Please clarify this requirement. Is this the ability to generate documents such as options for performing service? If so, would these documents be created by the Court or the EFM/EFSP Vendor? If created by the Court, the EFM would typically attach those documents to accepted filings and return them to the filer with the conformed documents. **ANSWER**: There are 2 use cases: 1) A court using the Clerk Review function without a CMS attached could generate the appropriate notices that go back with the conformed copy to the filer. 2) Courts generate notices to filing parties such as Notice of Rejection, Notice of Confirmation, Notice of Hearings, etc. These get automatically generated and sent back with e-filing transmission.
7. RFP Reference: SP-0033 - The system must provide the capability to send a copy of the filing document by e-mail or hyperlink to additional parties or other individuals. Please clarify this requirement. This implies the EFSP is to perform eService rather than the EFM. If the filing EFSP is to perform eService, is the requirement for the filing EFSP to obtain the Service List and perform direct eService to individual parties rather than the EFSP associated with the party being served? This question assumes one or more of the parties have been previously associated with an EFSP. **ANSWER**: The EFSP will receive the service list maintained by the EFM. The I/GA EFSP will provide eService for indigent parties and government agencies.
8. RFP Reference: SP-0064 - The system must provide the capability to generate and display alerts on the e-filing system based on certain events/statuses and must be configurable (examples of events: acceptance of filing, hearing date scheduled, Notice of Decision issued, Court Order issued, Defendant Notice issued, Counterclaim, Voluntary Non-Suit). Please describe your notification/alerts functionality and provide relevant screenshots in your response. RFP Reference: SP-065 – The system should send an e-mail/notification to other parties of any pleadings filed on a case. Question: Please clarify these requirements. Many of these notifications/alerts will originate within the CMS independent from the submission of a filing. How will the EFSP obtain these alerts from the CMS as there is no ECF standard for receiving alerts from the EFM or CMS. Examples include hearing date scheduled, decision issued, etc. Will the notification mechanism will be designed and implemented in collaboration with the selected Vendors and the Court? **ANSWER**: Yes, some of these notifications/alerts will originate within the CMS independent from the submission of a filing. The EFSP obtain these alerts from the EFM which is forwarding notifications from a CMS. This will likely be manifested as a California extension to the ECF standard for processing alerts. The notification mechanism will be designed and implemented in collaboration with the selected Vendors and the Court?
9. RFP Reference: SP-0078 - The EFSP may be directed to seamlessly integrate with a court-approved merchant card processing vendor (through a secured payment hosted page or APIs) and allow for the users to pay the appropriate credit card fees online. Question: Please provide the current list of court-approved merchant card processing vendors. **ANSWER**: Elavon and First Data
10. Please provide the mechanism to become a court-approved merchant card processing vendor. **ANSWER**: That topic is outside of the scope of this RFP.
11. RFP Reference: SP-0104 states “The system must authenticate all users with the MyCACourt ID.” Please provide clarification on MyCACourt ID including what it is and how the authentication is to be performed. We assume this is part of the IAM product, but this requirement appeared to be vendor specific. **ANSWER**: The requirement ID SP-0104 in Exhibit 2 will be amended to read “The system must authenticate all users with the IAM”.
12. Does the EFSP calculate any fees and pass that information as part of the detailed level data that is sent or does the EFM rely on the Court CMS to calculate fees and record the Court calculated fees in association to the EFSP transaction detailed data? **ANSWER**: The EFSP calculates fees and passes that information to the EFM, which, in turn, passes the information on to the Court.
13. Since there is a partial rejection option as is described in requirement FM-0003 “If any part of the transaction is REJECTED….”  Do the Court fees need to be stored fees at a document level where there is partial rejection or is that breakdown required? **ANSWER**: This will be addressed in development of the California ECF standard. It is reasonable to anticipate that fees be accounted for at a document level.
14. Can you clarify the difference in requirement FM-0019 and FM-0020 which is case search external and internal?  Both are searching for court, case type, party, attorney, and other items. **ANSWER**: FM-0019 is an external public search for cases on the web. FM-0020 is a more extensive search including metadata for internal court users.
15. Requirement FM-0034 can you identify how a hearing date is an attribute to a submission that would be filtered in a Clerk Review.  Is there a requirement that the case history call to a CMS responds with a hearing events on each case? **ANSWER**: The process of defining the California extension to the ECF standard will outline how and when a hearing date is an attribute to a submission.