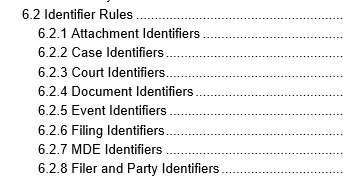
**ECF5 Spec Feedback and Considerations – 6**

Jim Cabral responses in red

This document contains additional questions and commentary resulting from a review at the Electronic Court Filing Version 5.0 Working Draft 11.

1. **Table of Contents update**

Section 6.2.9 ‘Service Recipient Identifiers’ has been added to the specification document (ecf-v5.0-wd11.docx). However, this section is not reflected in the table of contents:



The table of contents is automatically generated. I’ll make sure WD12 includes an updated list of contents.

1. **RecordDocketingMessage - CorrectedFiling**

ReviewedFilingLeadDocument and ReviewedConnectedleadDocument have been restored in RecordDocketingMessage similar to ECF4.

However, docket:CorrectedFiling is still absent and may need to be restored.

In the last response, you indicated that CorrectedFiling as an element is not needed, because ReviewedLeadDocument, ReviewedConnectedDocument and nc:Case constitute the equivalent for CorrectedFiling. The following table shows the relevant snippets from wd 08 (wherein docket:CorrectedFiling last appeared), and the current wd 11:

|  |  |
| --- | --- |
| ECF5 – wd-08 | ECF5- wd-11 |
|  |  |

I missed this distinction in your response to the 4th installment. However, some adjustments are still necessary to correctly support this perspective.

For starters, the filing:FilingMessage must be mandatory in the RDM (as opposed to making docket:CorrectedFiling optional).

Secondly, since nc:Case now appears twice in the RDM, perhaps it would be more understandable if the outermost instance of nc:Case were renamed to something like ‘ReviewedCase’ or ‘CorrectedCase’.

Additionally, the outermost nc:Case (e.g. ReviewedCase or CorrectedCase) must be optional, not mandatory.

Some integrity rules are probably also appropriate. Things like:

CorrectedCase must be the same case type and use the same augmentation point type as FilingMessage/nc:Case.

Also, some usage rules, or perhaps guidelines in some circumstances are also necessary.

For example, after careful review of the docket.xml example, which contains both filing:FilingMessage/nc:Case and nc:Case, the only substantive difference observed is that the nc:MetaData element in ecf:CaseAugmentation is absent in nc:Case but is present in FilingMessage/nc:Case. What does this mean? Does it mean that in clerk review, the reviewing clerk determined that the sensitivity is not ‘public’ and the language is not English?

I don’t mean to suggest that Jim Cabral should be responsible for determining and writing also these rules/guidelines; others, such as mayself, could volunteer. However, I do think that that we all need to be humming the same melody before we start trying to write the lyrics.

Agreed – let’s discuss with the TC before making other changes.

1. **Document Association Type**

DocumentRelatedCode.gc currently defines two possible values “parent” and “prior-related”. Are there others we should include?

What does “prior-related” mean?

If the correct way to relate a filingConnectedDocument to its parent FilingLeadDocument is as shown below (from civil.xml example):

<nc:DocumentAssociation>

<nc:PrimaryDocument structures:ref="Document1" xsi:nil="true"/>

<ecf:DocumentAssociationAugmentation>

<ecf:DocumentRelatedCode>parent</ecf:DocumentRelatedCode>

</ecf:DocumentAssociationAugmentation>

</nc:DocumentAssociation>

Then shouldn’t this be spelled out in the specification document?

To not do so, leaves it up to chance, thus reducing the likelihood of interoperable implementations.

There may be different ways to document operating rules within the specification. There is currently a section (6.3) titled ‘Message Rules’. It could perhaps go into this section, but the rule would need to be repeated for many different messages or even repeated for multiple usages within a single message.

As previously stated: We cannot make nc:DocumentAugmentation required only in filing:FilingConnectedDocument. Presumably this means we cannot do so in schema, however, we can do it with words (e.g. a rule).

These rules might be expressed as:

All connected documents, such as FilingConnectedDocument and ReviewedConnectedDocument, MUST be associated to its parent lead document (e.g. FilingLeadDocument or ReviewedLeadDocument). This association MUST be done using the nc:DocumentAssociation element within the connected document. The nc:PrimaryDocument element MUST be included within nc:DocumentaAssociation. The structures:ref attribute on nc:PrimaryDocument MUST be used and MUST reference the connected document’s parent document. The nc:PrimaryDocument element MUST not have content, and SHOULD include the xsi:nil attribute set to “true”. The ecf:DocumentAssociationAgumentation element MUST be substituted for nc:DocumentAugmentationPoint, and the ecf:ParentRelatedCode within the augmentation MUST have the value “parent”. The nc:SecondaryDocument element MUST not be used.

FilingLeadDocument and ReviewedLeadDocument MUST not use nc:DocumentAssociation.

Your alternative approach is: to abandon nc:DocumentAugmentation and DocumentRelatedCode.gc completely and define separate elements for references to parent and prior-related documents, ala

filing:FilingLeadDocument/filing:PriorRelatedDocument

filing:FilingConnectedDocument/filing:ParentDocument

filing:FilingConnectedDocument/filing:PriorRelatedDocument

This approach is not extensible but would give us fine control of the cardinality of each document relationship.

This alternative approach may achieve greater enforcement via schema and thereby require less or no additional rules.

I agree that we should discuss this with the TC.

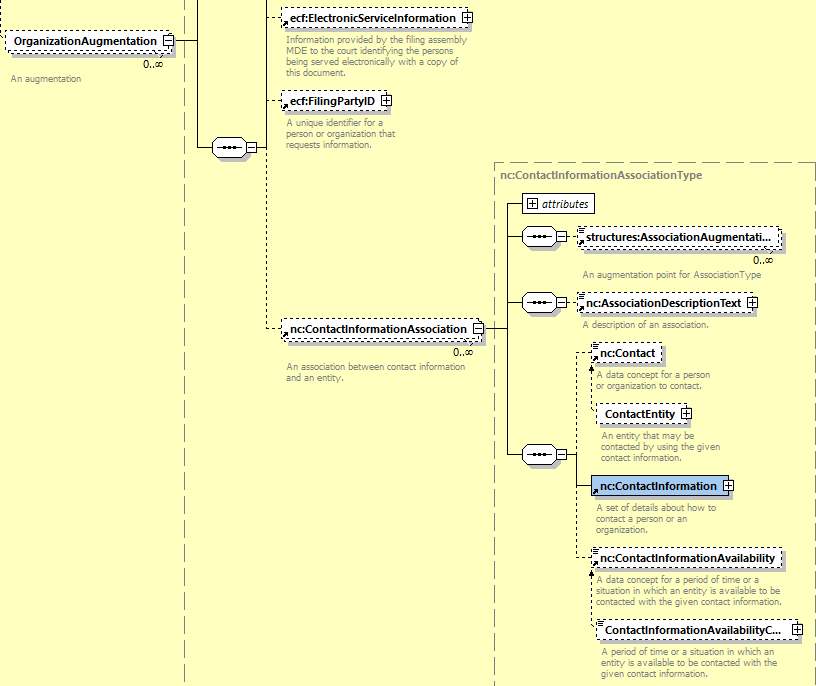
Yes – let’s discuss with the TC before we make any more changes.

1. **ContactInformationAssociation**

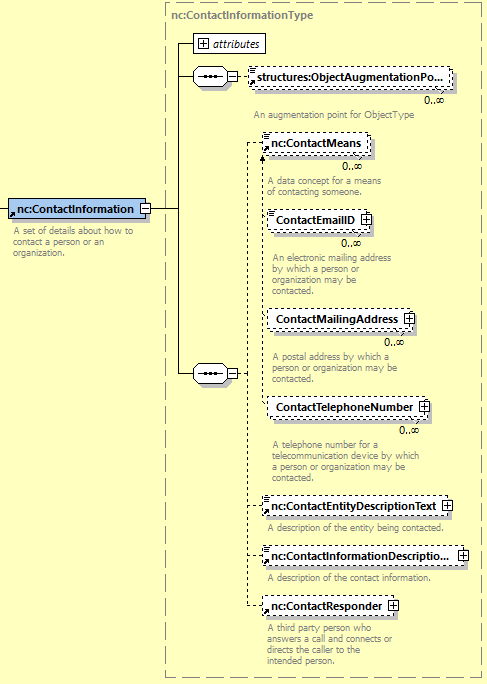
Prior response was:

Both nc:ContactInformation and nc:ContactInformationAssociation are required as the actual contact information is provided in nc:ContactInformation while the indicators (home, work, etc.) are provided in nc:ContactInformationAssociation

I’m still confused by this. I see this for EnityOrganization in CaseInitiatingParty:



Whereas I can see nc:ContactInformationAssociation and nc:ContactInformation, I cannot see “the indicators (home, work, etc.)”. These ‘indicators’ do not appear in the expanded nc:Contactnformation (shown below):

 Where are the “indicators”?

The indicators are in nc:ContantInformationAvailabilityCode which is in nc:ContactInformationAssocaition but not nc:ContactInformation.

1. **Other Augmentation**

You’ve provided that structures:ObjectAugmentationPoint is included an all NIEM types and cannot be removed.

Should these ObjectAugmentationPoints be left alone, untouched by implementations?

If so, shouldn’t this be stated in a specification rule?

If not, how might these be used?

In my opinion, outlawing the use of ObjectAugmentaitonPoint is not necessary. While I can’t imagine why an implementation may need an augmentation that it can add to any complex object, that doesn’t mean there is not a good use for it.

1. **Incorrect Identification Type (PersonIdentificationCategoryCode)**

PersonIdentiifcationCatgeoryCode is permitted to be substituted for nc:IdentifcationCategory in nc:DocumentIdentiifcation (nc:IdentificationType).

Response is: ecf:PersonIdentificationCategoryCode substitutes for nc:IdentificationCategory in any identifier. Unfortunately, we cannot constrain it to person identifiers only.

When schema circumstances like this occur, can’t we just write a rule into the specification document such as:

For identification elements derived from nc:IdentiifcationType, substitutions for nc:IdentificationCategory are only allowed, when the category type element to be substituted, as identified by element name and element definition, is clearly intended for the entity type for which the identification type applies. For example, the element PersonIdentificationTypeCode cannot be substituted for nc:IdentificationCategory within nc:DocumentIdentification. The element DocumentIdentificationCategoryCode (if it exists), would be an allowable substitution.

I adapted this guidance into a new section 6.2.10 Identification Category in WD12.

1. **Filer and Party Identifiers**

Section 6.2.8 addresses Filer and Party Identifiers. Two elements are indicated within this section of the specification as appropriate for filer and party identifiers. These elements are:

ecf:FilingPartyID/nc:IdentificationID

ecf:FilingAttorneyID/nc:IdentificationID

The ecf:FilingPartyID element appears in the ReviewFilingRequest (i.e. filing:FilingMessage/ecf:FilingPartyID). It also appears in j:CaseAugmentation within the various party elements, such as j:CaseAugmentation/j:CaseInitiatingParty/nc:EntityPerson/ecf:PersonAugmentation/ecf:FilingPartyID.

The ecf:FilingAttorneyID element appears in filing:FilingMessage (i.e. filing:FilingMessage/ecf:DocumentAugmentation/ecf:FilingAttorneyID) and also appears in FilingLeadDocument and FilingConnectedDocument (e.g. filing:FilingMessage/filing:FilingLeadDocument/ecf:DocumentAugmentation/ecf:FilingAttorneyID).

The definition for FilingPartyID is: “A unique identifier for a person or organization that requests information.”

The definition for FilingAttorneyID is: “Identifier recognized by the court as being unique within the case, and used to identify the attorney who is filing this document. Not present for pro se litigants.”

Filer is defined in section 1.1 as: “An attorney, judicial official or a *pro se* (self-represented) litigant acting as an individual who assembles and submits one or more filings (combinations of data and documents).”

Section 6.2.8 does not make it clear which element is to be used for the ‘Filer Identifier’ and which element is for the ‘Party Identifier’.

This does not appear to be an issue with ECF4 as only one element, i.e. nc:PersonOtherIdentification/nc:IdentificationID is non-normatively illustrated as used.

How should filer and party identifiers be used in a Filing Review Request?

Let’s consider a submission by attorney Jack Smith (ID = 100) on behalf of his client defendant Barbara Jones (ID = 101). Is this properly and correctly reflected in the following XML snippet?

<filing:FilingMessage>

<nc:DocumentIdentification>

<nc:IdentificationID>123456ABC</nc:IdentificationID>

</nc:DocumentIdentification>

<ecf:DocumentAugmentation>

<ecf:FilingAttorneyID>

<nc:IdentificationID>100</nc:IdentificationID>

</ecf:FilingAttorneyID>

<ecf:RegisterActionDescriptionCode/>

</ecf:DocumentAugmentation>

<ecf:FilingPartyID>

<nc:IdentificationID>101</nc:IdentificationID>

</ecf:FilingPartyID>

However, the above example is not how this is reflected in the Civil case example (civil.xml). This example only includes ecf:FilingPartyID as shown in the snippet below and does not include ecf:FilingAttorneyID,. The identifier value 10 is associated with two different parties; i.e. both defendant John W. Doe (j:CaseInitiatingParty) and defendant Jane Q Doe (formerly Smith) (j:RespondentParty). There is also another Jane Doe person who is a prosecutor, but does not have either a Filer Id or a Party ID, but does have a Bar ID (100).

<filing:FilingMessage>

<ecf:FilingPartyID>

<nc:IdentificationID>10</nc:IdentificationID>

</ecf:FilingPartyID>

Confusingly, even though there is only one attorney elaborated in this submission (i.e. prosecutor Jane Doe), each of the filing documents is associated with ecf:FilingAttorneyID with nc:IdentificationID 10. No parties are associated with the attorney in the example.

So, in conclusion, the specification is unclear in regard to Party and Filer ID, and the civil case example is decidedly unclear and confusing.

So let’s try to unravel this.

First off, perhaps the terminology needs better definition. What is meant by ‘filer’?

The definition in the ‘Terminology’ section 1.1. is: “An attorney, judicial official or a *pro se* (self-represented) litigant acting as an individual who assembles and submits one or more filings (combinations of data and documents).”

So it would seem that a ‘Filer ID” would be “Identifier recognized by the court as being unique within the case, and used to identify the attorney, judicial official or a *pro se* (self-represented) litigant acting as an individual who assembles and submits one or more filings (combinations of data and documents).”

Do I need to point out that this definition does not match the definition for either ecf:FilingPartyID or ecf:FilingAttorneyID?

It doesn’t help matters that the element ecf:FilingPartyID makes an unfortunate use of the word “Party” in its name. “Party” should be reserved for use as a synonym for “litigant”. As defined, ecf:FilingPartyID would be better named as “ecf:FilingParticipantID”. When generalized as participant, it can be a party (e.g. litigant), an attorney, a judge, or other. As such, then there is no need for both a Filer ID and a Party ID for the purpose of identifying the submission “filer”.

There may still be a need for Party Identifiers (e.g. litigant identifiers), but now these can be treated separately.

With this distinction, then section 6.2.8 could be retitled as just “Filer Identifiers” and might be written as:

Identifiers for electronic submission filers, including persons, and organizations, submitting Review Filing Requests, MUST be identified using the element filing:FilingMessage/ecf:FilingParticipantID/nc:IdentificationID. The value of this element MUST be unique within a case and will be generated by the court in response to a ReviewFiling operation. The following is a non-normative example of an identifier for filer number 100:

<ecf:FilingParticipantID>

<nc:IdentificationID>100<nc:IdentificationID>

</ecf:FilingParticipantID>

A new section could be added for Party Identifiers (e.g. section 6.2.10). Note that the party whose identifier is being presented may not be the filing party. As such, the suggested element name has been changed to just ecf:CasePartyID. This section might be written as:

Identifiers for parties to a case (i.e. litigants), including persons, organizations and property, MUST be identified using the element ecf:CasePartyID/nc:IdentificationID. The value of this element MUST be unique within a case and will be generated by the court in response to a ReviewFiling operation. The following is a non-normative example of an identifier for party number 100:

<ecf:CasePartyID>

<nc:IdentificationID>100<nc:IdentificationID>

</ecf:CasePartyID>

Attorney elements MAY reference the parties they represent with party identifiers. Self-represented litigants that are also an attorney MAY be represented using both attorney and party elements for the same individual, with a reference from the attorney element to the party element. Otherwise, the attorney elements for a self-represented litigant SHOULD NOT include a bar number.

In Arizona, we recognize that the ‘filer’ may not be the same as the ‘submitter’. We require that the RecordFilingRequest submitter be detailed n nc:DocumentSubmitter. The use of nc:DocumentSubmitter is described as:

This element is used in the CoreFilingMessage to identify the entity interacting with the FAMDE to assemble, then submit, the eFiling submission to the FRMDE. The submitter may, or may not, be the filing attorney or party; instead the submitter may be working on the behalf of the filing attorney or party (also see aoc:DocumentFiler).

The DocumentSubmitter entity can either be a person entity or an organization entity; however, person entity is preferred.  If an organization entity is used, then the person creating the submission on behalf of the organization must be identified within the nc:ContactEntity element, which is located within the aoc:EntityOrganization element.

DocumentSubmitter entities can be ‘elaborated’ either ‘in place’ within the nc:DocumentSubmitter element using ecf:EnityPerson or aoc:EntityOrganization, or the entity can be elaborated elsewhere in the XML, such as in aoc:CaseParticipant, then referenced using nc:EntityPersonReference or nc:EntityOrganizationReference.  The latter approach should be used when the DocumentSubmitter entity is a CaseParticipant.

As indicated above, we also require the filer to be identified using aoc:DocumentFiler. This element may be the same/similar to the ecf:FilingParticipantID suggested above. Note that ECF4 does not provide any element similar to aoc:DocumentFiler or even the newly provided ECF5 wd 11 ecf:FilingPartyID element. Here’s how Arizona defines aoc:DocumentFiler:

This element is used in the CoreFilingMessage to identify the person responsible for the submission. The Document Filer is not always the person who interacts with the FAMDE to assemble then submit the eFiling submission to the FRMDE; this person is referred to as the submitter. The document filer is the attorney or party responsible (e.g. on whose behalf) the efiling submission is submitted.

The document filer may be the same person as the document submitter.  When this is the circumstance, then both nc:DocumentSubmitter and aoc:DocumentFiler should be used.  The person entity should only be ‘elaborated’ one time (e.g. in nc:DocumentSubmitter) and annc:EntityPersonReference should be used in the other element (e.g. aoc:DocumentFiler).

DocumentFiler entities (e.g. a person) can be ‘elaborated’ either ‘in place’, within the nc:DocumentSubmitter element using ecf:EnityPerson, or the entity can be elaborated elsewhere in the XML, such as in aoc:CaseParticipant, then referenced using nc:EntityPersonReference. The latter approach should be used when the DocumentFiler entity is a CaseParticipant.  The document filer must be a person -- NOT be an organization or item entity.

Arizona’s aoc:DocumentFiler element contains nc:EntityRepresentation which is replaced by substitution by either EntityPerson, or EntityPersonReference. Technically, EntityItem, EntityItemReference, EntityOrganization and EntityOrganizationRefernce could also be substituted, but these are not permitted per the specification (i.e.” The document filer must be a person -- NOT be an organization or item entity“).

Whether as ecf:FilingPartyID, ecf:FilingAttorneyID, or even as ecf:FilingParticipantID, the manner in which the element “references” the entity (e.g. person, organization or property) to which it belongs (i.e. the entity that it identifies or is an identifier for) is an important consideration. This is not addressed in the specification except to suggest the identifiers can be used. As proffered in wd 11 there are both ecf:FilingPartyID and ecf:FilingAttorneyID (not to mention ecf:ServiceRecipientID). So if I have an ecf:FilingAttorneyID with a value of ‘10’, how do I locate the entity to which this refers? The answer, at least in the civil example, is that you cannot. There is not any entity with an ecf:FilingAttorneyID with a value of ‘10’. Locating the party (or is it participant?) with an ecf:FilingPartyID with a value of ‘10’ can at least be technically accomplished since a person can have this element via ecf:PersonAugmentation, but in the example, this leads to two different persons.

I suggest that the structures:ref attribute be required or at least highly encouraged (best practice). This would eliminate any ambiguity. This would be done as:

<ecf:FilingPartyID structures:ref="Party10">

<nc:IdentificationID>10</nc:IdentificationID>

</ecf:FilingPartyID>

…

<j:CaseInitiatingParty>

<nc:EntityPerson structures:id="Person1">

<nc:PersonName>

<nc:PersonGivenName>John</nc:PersonGivenName>

<nc:PersonMiddleName>W.</nc:PersonMiddleName>

<nc:PersonSurName>Doe</nc:PersonSurName>

</nc:PersonName>

<ecf:PersonAugmentation>

<ecf:CaseParticipantRoleCode>Defendant</ecf:CaseParticipantRoleCode>

<ecf:FilingPartyID structures:id="Party10">

<nc:IdentificationID>10</nc:IdentificationID>

</ecf:FilingPartyID>

Lastly, where do these identifiers come from?

Using the structures:ref attribute in ecf:FilingPartyID will also help assure that the identifier value is provided for a party is valid (i.e. since the corresponding structures:id must exist). This would help avoid circumstances like that in the citation example (citation.xml) where no party holds a FilingPartyID, thereby invaliding the FilingMessage/ecf:FilingPartyID provided.

The specification currently specifies that these identifiers “are generated by the court in response to a ReviewFiling operation”. This is not practical.

Consider an implementation with a single EFM which can accept ReviewFilingRequest submissions from multiple different FAMDEs. Each FAMDE is likely to have its own registration/account system, each issuing its own account/registration identifier. Some may be alphabetic, some numeric, and some may be mixed.

It is this FAMDE identifier that has more practical value for use in identifying the Filer/Submitter.

If it must be done by the court in response to a ReviewFiling operation, then these identifier values will not be present in the filing:FilingMessage as provided by the FAMDE to the FRMDE (e.g. it is impossible for the FAMDE to know them before they are generated).

In an implementation that has separated the EFM from Clerk Review, then if it is the EFM that generates the identifiers (and not the CRMDE), then the EFM could add this information to the RvFR before sending it to Clerk Review (as RvFR’). In this arrangement, then it may be useful to return the generated identifiers to the submitting FAMDE for reference and possible future use (provided that identifiers do not need to be generated each and every time; the specification is not clear on this, but it seems very impractical). If returned, then some accommodation needs to be made in the response message.

Many courts may want to communicate using unambiguous references (e.g. identifiers) to participants that span multiple messages. For example, in a case initiation filing, multiple parties (i.e. litigants) may be identified, perhaps as plaintiffs and/or defendants, possibly along with one or more attorneys. Later, a subsequent filing may be submitted from or on behalf of these same participants. Courts (e.g. CRMDE’s and possibly Clerk Review) will want know, unambiguously, that this participant is the same as the participant in a prior submission. Arizona has developed a specification for how to do this (in ECF4) (i.e. Participant Matching).

The ‘Participant Matching’ specification takes into account the fact that different CRMDEs (e.g. case management systems) will have different internal designs. In one CMS, all participants may share a single ID stream, in another CMS, attorneys, judges, litigants and other participants may each have their own independent ID streams (e.g. AttyID=100 is different than JudgeID=100). Of course, many other arrangements are also possible.

The Arizona ‘Participant Matching’ specification can be provided if this would be useful.

There is a lot to unpack here. It seems like we need to start with some assumptions that should probably be in the specification. Here are my suggestions:

1. We need common definitions for “filer”, “party” (or, if you prefer “participant”), “attorney”, “service recipient” and possibly “submitter” that we use consistently throughout the specification.
2. Every filing is associated with a filing party and, unless they are filing pro se, a filing attorney. There are no “litigant identifiers”.
3. The filing party and attorney are both legally responsible for submitting the filing regardless if someone else submits the filing on their behalf.
4. Filing party and attorney IDs are unique within the e-filing system. In practice, these will need to be assigned by an identity management system (not the EFSPs) that is outside the scope of the ECF specification. If there is a single EFM, the EFM will likely be the source of identity for filers and service recipients.

We should discuss and agree on assumptions with the TC. Based on your feedback, I expect some dissent. Once we agree to the assumptions, we should consider the following changes to the specification.

1. Rewrite 6.2.8 completely to provide the definitions and clarify the assumptions.
2. In the schema, provide a reference from the filing party and attorney IDs to the entities (usually person objects), rather than reference from one ID to another ID as you suggested.
3. Improve the non-normative examples to more clearly demonstrate how the specification is intended to be used.
4. **Kinds of Litigants (e.g. Party Role Types)**

Litigants in a case are characterized by one or many roles, such as plaintiff and defendant.

Courts have many different labels for party role types. I have attached table (below) that contains 112 different party role type labels. I am sure more could be added.

NIEM by way of jxdm only provides three different elements for identifying litigants. These are:

|  |  |
| --- | --- |
| **element** | **definition** |
| j:CaseDefendantParty | An entity being charged or sued in a court of law. |
| j:CaseInitiatingParty | An entity that brings charges or a suit against another in a court of law. Can be either a victim in a criminal case or a plaintiff in a civil case. |
| J:CaseRespondentParty | An entity in a court case that is required to answer a petition for a court order or writ requiring the respondent to take some action, halt an activity or obey a courts direction. In such matters the moving party (the one filing the petition) is usually called the petitioner. Thus, the respondent is equivalent to a defendant in a lawsuit. On an appeal, the party who must respond to an appeal by the losing party in the trial court (called appellant) in the appeals court. The accused in a domestic violence case or civil action; a person responding to a Request or Petition for Protection filed by a petitioner. |
| J:CaseOtherEntity | A miscellaneous entity involved in a court case. |

Although j:CaseOtherEnity is shown above, it does not designate a participant as a litigant, it appears to be intended for use for case participants who are not litigants (and also presumably not judges or attorneys since j:CaseJudge, and various attorney elements are available), such as perhaps ‘Bailiff’ or “Process Server’.

With more than 100 different party role types, and considering that a party may have more than one party role type, having to figure out whether the party is a CaseDefendantParty, or a CaseInitiatingParty or a CaseRespondentParty is a futile and worthless task.

Even when it is clear which is correct, the choice of element provides little to no value. If the party has a CasePartiicpantRoleCode of ‘defendant’ then I know the party is a defendant; the party does not need to be described within j:CaseDefendantParty.

Below I have included a table which lists more than 100 party role types. I have also attempted to identify which of the three jxdm party elements is appropriate for the party type. If I was completely uncertain, then I designated CaseOtherEntity (COE). For other types I designated one of the 3 options, but if I was uncertain, I included a question mark (?).

The results are disappointing and discouraging.

This perspective that all litigants can be classified into one of three categories is so dysfunctional, that in Arizona we introduced a ‘generic’ party element to designate a filing entity as a party, absent any consideration as to whether the party is initiating, respondent or defendant. The kind or type of party is found in CaseParticipantRoleCode.

This ‘generic’ filing party element is aoc:FilingParty and is described below:

Parties (e.g. litigants, either organizations, persons, or property) are introduced within j:CaseAugmentation as either a CaseInitiatingParty, a CaseRespondentParty, or a FilingParty.

This element is NOT used for case initiating submissions.

If this is a subsequent submission, then use aoc:FilingParty if the party is the filer or is represented by the filing attorney.  In a subsequent submission, parties in opposition to the filing party should be identified using j:CaseRespondentParty.

We do use j:CaseInitiatingParty, but only when it is a case initiation submission. In this circumstance, it is pretty obvious which of the jxdm three choices is correct; not a lot of hand wringing required.

We also use j:CaseRespondentParty as described below:

This element is used for:

* Case initiating submissions that identify the case parties who are in opposition to the case parties initiating the case (e.g., defendants, appellants); and
* Subsequent submissions that identify the case parties who must act upon or respond to the case initiating submission. Note: Case parties who are not the filing parties or who are not the respondent parties MUST NOT be referenced using j:CaseRespondentParty. Cross, Counter, and Third-Party claims are instances of when the j:CaseRespondentParty element is used with subsequent submissions. For example:
* When a Defendant in a case files a Cross Claim against another Defendant in the same case, the filing Defendant would also be identified as a Cross Claimant in the case. The Cross Claimant may not name all existing defendants in the Cross Claim.
* When a Defendant in a case files a Counter Claim against a Plaintiff, the Defendant would also be identified as a Counter Plaintiff in the case. The Counter Plaintiff may not name all existing plaintiffs in the Counter Claim.
* When a Defendant in a case files a Third-Party Complaint against a new party(s) that will be added to the same case, the Defendant would also be identified as a Third-Party Plaintiff and the new parties would be identified as Third-Party Defendants.

A party is typically first encountered in the XML as a CaseInitiatingParty, CaseRespondentParty, CaseDefendantParty, or FilingParty. Note: Party litigants may be organizations, persons, or property. ECF also refers to property as items.

As you might expect, we use a similar approach for attorney elements.

I would be interested to know how useful other implementers find the limited 3 party type classification system.

To me, it seems that when 60 – 75% of the party role types cannot be correctly mapped into any one the three options, then a fix is needed.

**Litigant Case Participant Role Codes**

The table below lists roles that case participants may play as litigants. This table does not include other case participant or judicial official roles. Various sources were used to define roles listed and described in the column ‘Definition/Description’. The ‘Standard Role Code’ comes from the table in section 10 of the Arizona AOC CivilCase XML specification. Corresponding AJACS codes (an Arizona CMS) were also obtained from this table. Appellate Codes are the matching roles from Appellamation (Arizona appellate CMS). Some roles are struck-through. These roles are listed as ‘Litigant Roles’ in the Arizona Civil Case Specification table, but are not really litigant roles. The values listed in the column labeled ‘jxdm Party Type’ represent my best mapping of the litigant role to one of the four jxdm participant elements. A key for these is presented beneath the litigant role table. Note that only 3 of the 4 jxdm participant types are litigant types. The 4th type is j:CaseOtherEntity (COE) and is described as: “A miscellaneous entity involved in a court case.” This element could be appropriately used for non-litigant types of case participants, such as bailiff, process server, etc.

| **Arizona**  **Standard Role Code** | **Definition / Description** | **jxdm Type** | **ECF5 Code** | **Appellate Code** | **AJACS Code** |
| --- | --- | --- | --- | --- | --- |
|  | Third-Party Administrator | COE |  | 3RDADMIN |  |
| 3rdPartyDefendant | Third Party Defendant - Party brought into a lawsuit as a defendant by the original defendant. ( <http://www.businessdictionary.com/definition/third-party-defendant.html> ) | CDP | Third party defendant | 3RDDEFD | E |
| 3rdPartyPlaintiff | Third Party Plaintiff - Party brought in as claimant by the defendant in a law suit. (<http://thelawdictionary.org/third-party-plaintiff/> ) | COE | Third party plaintiff | 3RDPLTF | Q |
|  | Fourth-Party Defendant | COE |  | 4THDEF |  |
|  | Fourth-Party Plaintiff | COE |  | 4THPLNTF |  |
|  |  |  |  |  |  |
|  | Adopted Child – Child adopted by a parent. | COE | Adopted child |  |  |
|  | Adoptive Parent – Parent who adopts a child. | COE | Adoptive parent | ADOPTPRN |  |
|  | Amicus Curiae - Latin for "friend of the court," a party or an organization interested in an issue which files a brief or participates in the argument in a case in which that party or organization is not one of the litigants.  (<http://dictionary.law.com/Default.aspx?selected=2400> ) | COE | Friend of Court | AMICUS |  |
| Appellant | A party that appeals to a higher tribunal. (<http://www.dictionary.com/browse/appellant> )  The party who appeals to a higher court from the decision of a lower tribunal. (<http://www.thefreedictionary.com/appellant> ) | CIP | Appellant | APLNT | A |
|  | Appellant/Cross-Appellee | COE |  | APLEXAPE |  |
| Appellee | An appellee is a party against whom an appeal is taken and who responds to the appeal. An appellee usually seeks to uphold the lower court’s decision. Appellee is the respondent in an appeal. (<https://definitions.uslegal.com/a/appellee/> ) | CDP | Appellee | APLEE | B |
|  | Appellee/Cross-Appellant | COE |  | APLEXAPL |  |
| ~~Arbitrator~~ | A private, disinterested person, chosen by the parties to a disputed question, for the purpose of hearing their contention and giving judgment between them. (<http://thelawdictionary.org/arbitrator/> ) |  |  |  | ~~AB~~ |
|  | Applicant – in bar matters, the person applying for admission to a bar agency. | COE |  | APPLICNT |  |
|  |  |  |  |  |  |
| Claimant | Party making (filing) a formal demand for a payment or asserting a right (such as the ownership of a property). (<http://www.businessdictionary.com/definition/claimant.html> ) | CIP | Claimant | CLAIMNT | K |
|  | Commentor – person who writes a comment on a court rule change proposal. | COE |  | COMMENTR |  |
|  | Conservator - A conservator is a person or entity appointed by a court to manage the property, daily affairs, and financial affairs of another person, usually someone who is incompetent by reason of a physical or mental infirmity or age.  ( <https://definitions.uslegal.com/c/conservatorships/> ) | COE |  | CNSRVTR |  |
|  |  |  |  |  |  |
| Contestee | Contestee – one whose election is contested  (<https://www.merriam-webster.com/dictionary/contestee> ) | CDP | Contestee |  | CE |
| Contestor | Contestor | CIP | Contestor |  | CR |
|  | Counter-Claimant – a party who counterclaims:  counterclaim - A claim pled against a plaintiff by a defendant, either in opposition to the relief sought or as an independent cause of action against the plaintiff. | COE |  | CTRCCLAIM |  |
|  | Counter-Counter Claimant | COE |  | CCTRCLM |  |
|  | Counter-Counter Defendant | COE |  | CCTRDEF |  |
|  | Counter- Cross Defendant | COE |  | CNTRXDEF |  |
|  | Counter-Cross Plaintiff | COE |  | CNTRXPL |  |
| CounterDefendant | Counter Defendant - A defendant in a counterclaim (the plaintiff of the original action). | COE | Counter defendant | CTRDEFD | CT |
|  | Counter-Petitioner | COE |  | CTRPET |  |
| CounterPlaintiff | Counter Plaintiff - A plaintiff in a counterclaim (the defendant in the original action). | COE | Counter plaintiff | CTRPLTF | CP |
|  | Counter-Respondent | COE |  | CTRRESP |  |
|  | Crime Victim | CIP ? | Victim | CRIMVICT |  |
|  | Cross-Appellant – the person who files a cross appeal to counter an appeal already files by the original appellant. | COE |  | XAPLNT |  |
|  | Cross-Appellee | COE |  | XAPLEE |  |
| CrossClaimant | Cross Claimant - A person who demands a legal right in court against another person on the same side in a lawsuit. (<https://www.translegal.com/legal-english-dictionary/cross-claimant> )  Cross-Claim – a demand made in a pleading against another party on the same side of a lawsuit. (<http://legal-dictionary.thefreedictionary.com/Cross-Claim> ) | COE | Cross claimant | XCLAIM | CC |
| CrossDefendant | Cross Defendant - Defendant in a cross-claim against a co-defendant or co-plaintiff.   1. (answers.com/q/what\_is\_the\_definition\_of\_defendant-cross-appellant ) | COE | Cross defendant | XDEFD | CD |
|  | Cross-Petitioner | COE |  | XPTNR |  |
|  | Cross-Plaintiff | COE |  | XPLTF |  |
|  | Cross-Respondent | COE |  | XRESP |  |
|  | Debtor | COE |  | DEBTOR |  |
|  | Deceased | COE |  | DECSD |  |
| Defendant | Defendant – Party against which an action is brought. | CDP | Defendant | DEFD | D |
|  | Defendant Carrier | CDP |  | DEFCAR |  |
|  | Defendant Employer | CDP |  | DEFEMPL |  |
|  | Defendant Insurance Carrier | CDP |  | DEFINSCR |  |
|  | Defendant Judge | CDP |  | DEFJUDGE |  |
|  | Defendant/Appellant | CDP ? |  | DEFAPLNT |  |
|  | Defendant/Appellant-Cross Appellee | CDP ? |  | DEFAPXAE |  |
|  | Defendant/Appellee | CDP ? |  | DEFAPLEE |  |
|  | Defendant/Appellee-Cross Appellant | CDP ? |  | DEFAEXAP |  |
|  | Defendant/Real Party in Interest | CDP ? |  | DEFDRPI |  |
|  |  |  |  |  |  |
|  | Demandant – Initiator of a lawsuit. | CIP | Demandant |  |  |
|  | Devisee – a person who receives a gift of real property by a will. The distinction between gifts of real property and personal property are actually blurred, so terms like beneficiary or legatee cover those receiving any gift by a will.  (<http://legal-dictionary.thefreedictionary.com/Devisee> ) | COE |  | DEVISEE |  |
|  |  |  |  |  |  |
|  | Garnishee - An individual who holds money or property that belongs to a debtor subject to an attachment proceeding by a creditor.  (<http://legal-dictionary.thefreedictionary.com/Garnishee> ) | CDP | Garnishee | GARNSHEE |  |
|  | Garnishor - a creditor who brings a garnishment proceeding against a **garnishee.**  (<https://www.merriam-webster.com/legal/garnishor> ) | CIP |  | GARNSHOR |  |
|  |  |  |  |  |  |
|  | Guardian - Court appointed fiduciary of a minor or incapacitated person. | COE | Guardian | GUARDIAN |  |
|  |  |  |  |  |  |
| Intervenor | Intervenor - An intervenor is a party who does not have a substantial and direct interest but has clearly ascertainable interests and perspectives essential to a judicial determination and whose standing has been granted by the court for all or a portion of the proceedings.  (<https://definitions.uslegal.com/i/intervenor/> ) | COE | Intervenor | INTVEN | IR |
|  | Intervenor Defendant | COE |  | INTDEFD |  |
|  | Intervenor/Appellant | COE |  | INTAPLNT |  |
|  | Intervenor/Appellant-Cross Appellee | COE |  | INTAPXAE |  |
|  | Intervenor/Appellee | COE |  | INTAPLEE |  |
|  | Intervenor/Appellee-Cross Appellant | COE |  | INTAEXAP |  |
|  |  |  |  |  |  |
|  | Joinder - a person who has no material interest in the subject of the litigation or in the relief demanded is not a proper party and may not be part of the legal action. A proper party is one who may be joined in the action but whose failure to do so does not prevent the court from hearing the case and settling the controversy. A proper party may be added to a lawsuit through a process called permissive joinder.  (<http://legal-dictionary.thefreedictionary.com/joinder> ) | COE |  | JOIN |  |
|  | Joinder-in-Opposition | COE |  | JOINOPP |  |
|  | Judgment Creditor | COE |  | JDGCRDTR |  |
|  | Judgment Debtor | COE |  | JDGDBTR |  |
| ~~LegalDefender~~ | ~~Legal Defender~~ |  |  |  | ~~LD~~ |
|  |  |  |  |  |  |
|  | Marriage Applicant - Person who requests a marriage permit. | COE | Marriage applicant |  |  |
|  |  |  |  |  |  |
|  | Maternal Aunt | COE |  | MATAUNT |  |
|  | Maternal Grandparent | COE |  | MATGRAND |  |
|  | Maternal Uncle | COE |  | MATUNCLE |  |
| ~~Mediator~~ | ~~Mediator~~ |  |  |  | ~~MD~~ |
|  | Minor Child – a juvenile. | COE | Minor | MINCHILD |  |
|  | Minor Victim - Minor against whom a crime was committed | COE | Minor victim |  |  |
|  | Natural Father | COE |  | NATFATHR |  |
|  | Natural Mother | COE |  | NATMOTHR |  |
|  |  |  |  |  |  |
|  | Other | COE |  | OTHER |  |
|  | Other Indispensable Party | COE |  | OTHINDPT |  |
|  |  |  |  |  |  |
|  | Paternal Grandparent(s) | COE |  | PATGRAND |  |
| Parent | Parent - Legal or natural father or mother of a person. | COE | Parent |  | PA |
|  |  |  |  |  |  |
| Petitioner | Petitioner - One who presents a petition to a court, officer, or legislative body. (<http://thelawdictionary.org/petitioner/> )  In appellate cases, … the party appealing the judgment of the lower court is the petitioner and the party that prevailed at the lower court is the respondent, regardless of who filed the initial case. (<http://legalbeagle.com/5668491-definition-petitioner-respondent-legal-document.html> ) | CIP | Petitioner | PTNR | PE |
|  | Petitioner/Appellee | CIP ? |  | PETAPLEE |  |
|  | Petitioner/Appellant | CIP ? |  | PETAPLNT |  |
|  | Petitioner/Appellee-Cross Appellant | CIP ? |  | PETAEXAP |  |
|  | Petitioner/Appellant-Cross Appellee | CIP ? |  | PETAPXAE |  |
|  |  |  |  |  |  |
|  | Petitioner Administrative Agency | CIP |  | PETADM |  |
|  | Petitioner Carrier | CIP |  | PTNRCARR |  |
|  | Petitioner Employee | CIP |  | PTNREMPL |  |
|  | Petitioner Employer | CIP |  | PTNREMPR |  |
|  |  |  |  |  |  |
| PersonalRepresentative | Person Representative | COE | Personal representative | PSNLRP | R |
|  | Personal Representative/Appellee | COE |  | PSNLRPAE |  |
|  | Personal Representative/Appellant | COE |  | PSNLRPAP |  |
|  |  |  |  |  |  |
| Plaintiff | Plaintiff – Initiator of a law suit. | CIP | Plaintiff | PLTF | P |
| Private | Private (what is this?) | COE |  |  | PV |
|  | Pro Per – a self-represented litigant | COE | Pro per | PROPER | SE |
|  | Pro Se – a self-represented litigant | COE |  | PROSE |  |
|  |  |  |  |  |  |
| ~~Prosecutor~~ | ~~Prosecutor~~ |  |  |  | ~~PS~~ |
| ~~PublicDefender~~ | ~~Public Defender~~ |  |  |  | ~~PF~~ |
|  |  |  |  |  |  |
|  | Receiver | COE |  | RECEIVER |  |
| Respondent | The respondent is the party against whom a petition is filed, especially one on appeal. The respondent can be either the plaintiff or the defendant from the court below, as either party can appeal the decision thereby making themselves the petitioner and their adversary the respondent. (<https://www.law.cornell.edu/wex/respondent> ) | CDP | Respondent | RESP | RT |
|  | Resignee – used in attorney bar matters to label the former attorney who has resigned from the bar agency. | COE |  | RESIGNEE |  |
|  | Respondent/Appellant | CDP ? |  | RESPAPLT |  |
|  | Respondent/Appellee | CDP ? |  | RESPAPLE |  |
|  | Respondent/Appellant-Cross-Appellee | CDP ? |  | RESPAPXAE |  |
|  | Respondent/Appellee-Cross Appellant | CDP ? |  | RESAEXAP |  |
|  | Respondent Administrative Agency | CDP ? |  | RESPADM |  |
|  | Respondent Carrier | CDP ? |  | RESPCARR |  |
|  | Respondent Insurance Carrier | CDP ? |  | RESPINS |  |
|  | Respondent Insurer | CDP ? |  | RESPINSR |  |
|  | Respondent Clerk | CDP ? |  | RESPCLK |  |
|  | Respondent Judge | CDP ? |  | RESPJUD |  |
|  | Respondent Commissioner | CDP ? |  | RESPCOM |  |
|  | Respondent/Cross Petitioner | CDP ? |  | RESPXPET |  |
|  | Respondent Party In Interest | CDP ? |  | RESPNINT |  |
|  | Respondent/Real Party in Interest | CDP ? |  | RESRPI |  |
|  | Real Party in Interest - Entity other than the plaintiff that will benefit from a lawsuit. | COE | Real party in interest | RPINT |  |
|  | Sua Sponte Petitioner | COE |  | SUASPNTP |  |
|  | Trustee | COE |  | TRUSTEE |  |
|  | Ward - Minor or incapacitated person lacking physical or mental abilities to manage their own affairs. | COE | Ward |  |  |

Key for jxdm types:

|  |  |  |
| --- | --- | --- |
| **code** | **element** | **definition** |
| CDP | j:CaseDefendantParty | An entity being charged or sued in a court of law. |
| CIP | j:CaseInitiatingParty | An entity that brings charges or a suit against another in a court of law. Can be either a victim in a criminal case or a plaintiff in a civil case. |
| CRP | J:CaseRespondentParty | An entity in a court case that is required to answer a petition for a court order or writ requiring the respondent to take some action, halt an activity or obey a courts direction. In such matters the moving party (the one filing the petition) is usually called the petitioner. Thus, the respondent is equivalent to a defendant in a lawsuit. On an appeal, the party who must respond to an appeal by the losing party in the trial court (called appellant) in the appeals court. The accused in a domestic violence case or civil action; a person responding to a Request or Petition for Protection filed by a petitioner. |
| COE | J:CaseOtherEntity | A miscellaneous entity involved in a court case. |

Note:

Not all possible litigant role codes may be listed in the table above. For example, in the Arizona appellate courts, the role ‘Intervenor Defendant’ is used, but not ‘Intervenor Plaintiff’. However, the U.S. Court of Appeals, Eleventh Circuit recognizes ‘Intervenor-Plaintiff’. Other court may recognize this designation as well.

We have a task team looking at these codes right now. Let’s use this in another input to that discussion.