**ECF5 Spec Feedback and Considerations – 17**

This document contains additional questions and commentary resulting from a review at the Electronic Court Filing Version 5.0 Working Draft 21, unless otherwise noted.

1. **Normative Attorney to Party Representation Association**

We have had numerous conversations on this subject. Although I had understood that there is broad agreement for defining a normative approach and including this in the specification, we still have not yet fully achieved this.

I had felt that previous progress had been made, in that a method had been agreed to, however what had not yet been fully agreed was how to document/describe this method and it’s the normative requirements.

The previous progress had at least resulted in example xml getting placed into the specification document in section 6.3.1 Element Content Reference. However, as of WD 20, this section has been removed along with this non-normative example.

The short paragraph on Attorney to party references survived the revision (but is now renumbered from 6.3.3 to 6.3.1).

As a minimum, the xml example removed with the removal of section 6.3.1 Element Content References, should be restored in the new WD 21 section 6.3.1 Attorney to Party References. Since it now appears that content references are deprecated, the example will need to be revised to replace content references with element references (as shown below):

<j:CaseInitiatingParty>

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

<nc:PersonName>

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

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

</nc:PersonName>

<ecf:PersonAugmentation>

<ecf:CaseParticipantRoleCode>Plaintiff</ecf:CaseParticipantRoleCode>

</ecf:PersonAugmentation>

</nc:EntityPerson>

</j:CaseInitiatingParty>

<j:CaseInitiatingAttorney>

<nc:RoleOfPerson structures:id="Person3">

<nc:PersonName>

<nc:PersonGivenName>Jack</nc:PersonGivenName>

<nc:PersonSurName>Jones</nc:PersonSurName>

</nc:PersonName>

</nc:RoleOfPerson>

<j:JudicialOfficialBarMembership>

<j:JudicialOfficialBarIdentification>

<nc:IdentificationID>100001</nc:IdentificationID>

</j:JudicialOfficialBarIdentification>

</j:JudicialOfficialBarMembership>

<ecf:CaseOfficialAugmentation>

<ecf:CaseRepresentedParty>

<nc:EntityPerson structures:ref=”Person1” xsi:nil=”true”/>

</ecf:CaseRepresentedParty>

</ecf:CaseOfficialAugmentation>

</j:CaseInitiatingAttorney>

Even with a non-normative example provided (as suggested above) I am still not convinced that the current WD 21 section 6.3.1 Attorney to Party References is sufficient to establish a consistent interoperable approach. We have agreed to discuss this with the TC (or task group) but have not yet done so. Also see, item #24 in this document.

1. **GetServiceInformation**

Although case parties are substantively the targets of service, not all service recipients will be parties.

Section 6.1.2 GetServiceInformation provides the following (highlighting added):

If this operation is enabled by court policy, a Filing Assembly MDE MAY obtain a court’s service information for all parties in an existing case at any time by invoking the GetServiceInformation operation with the appropriate case number on the Court Record MDE for the appropriate court. The service list returned by the GetServiceInformation operation assists the filer in maintaining the filer’s service list and is not a substitute for the filer’s service list. To provide this information, the Court Record MDE MUST have access to the court’s registry with all updated information about case participants. There MUST be only one such registry per court, though multiple courts MAY share the same registry. The Court Record MDE responds synchronously to the Filing Assembly MDE with a service list reflecting the most current contact information available to the court, which is necessary to complete secondary service, whether electronically or by other means.

If the court provides a hub Service MDE, the electronic service information returned from this query MUST include the court’s Service MDE ID for all case participants who have one.

A party to a case is always the official target of service. In practice, the system will actually deliver to pro se litigants and to attorneys as intermediaries.

I suggest that the term “parties” in the first sentence above be augmented with “and other participants”, as in “for all parties and other participants”.

I further suggest that in the second paragraph cited above (“A party to a case is always …”), the last sentence in this paragraph should be changed to:

“In practice, the system may actually deliver to attorneys or agents as intermediaries.”

Since pro se (self-represented) litigants are parties they would not be intermediaries. It seems confusing to call them out separately from other parties.

1. **Service Recipient ID**

Are Service Recipient IDs different than Participant IDs?

In principle, both are unique identifiers for some participant entity. However, this does not imply that the same ID value can be used in both circumstances.

It’s not inconceivable that a vendor may want to start-up an e-Filing Legal Service business that provides e-filing service to a broad region. Perhaps this region is the Southwestern U.S. and encompasses many states. E-filing systems within this region could leverage this service (for a fee). As such, this service could accommodate many different e-filing systems, many different case management systems, and many different courts and jurisdictions.

It is also not inconceivable that this Legal Service provider maintains its own internal registry of recipients (persons, organizations, etc.), assigning its own unique identifier to each entity after ascertaining and verifying its identity. This service provider would not want to maintain ‘local’ identifiers for each and every court and/or e-filing system customer. Any given person could have many court cases, in many different courts, and many different cities, counties and states.

As such, this regional filing service provider might require FAMDEs to request service using its own ‘service recipient ID’ and not the participant ID as known to the CMS or EFM.

In order to do this of course, the FAMDE may need to be able to translate from a CMS participant ID to the Legal Service Provider Service Recipient ID.

If the FAMDE maintains its own ID (e.g. user account ID), then the FAMDE may also need to be able to translate both a Service Recipient ID as well as a CMS or EFM ID.

In a worst-case scenario, each primary MDE (i.e. FAMDE, FRMDE, CRMDE, LSMDE) maintains its own participant unique identifier. We are very nearly in this exact circumstance today in Arizona and may well end up in this exact situation once independent Legal Service MDE providers sign on.

So I think that even though Participant ID could serve the purpose of Service Recipient ID, both cannot be expected to have the same value in all ECF implementations.

So how should Service Recipient ID be defined?

A value assigned to a person, organization or item entity for the purpose of uniquely specifying the entity within a legal service context with respect to e-filing. The service recipient identifier value must be known and understood by both the service provider and the service requester.

In my opinion, the ECF specification should not define the MDE responsible for generating/issuing the identifier, or the form and format of the identifier (e.g. GUID, serial number, etc.). Nor should there be any requirement that the value for a Service Recipient ID is the same as the entities’ value for Participant ID.

Currently, the specification establishes responsibility for the assignment of the Service Recipient ID to the Filing Assembly MDE (FAMDE). Since an e-filing implementation could contain multiple FAMDEs, and since an entity (e.g. person) could utilize multiple different FAMDEs in this arrangement, then the very same person could have many different Service Recipient ID values.

Note that the assertion that Service Recipient ID assignment responsibility lies with the FAMDE is from the current definition of the ecf:ServiceRecipientID element: “A unique identifier assigned by the filing assembly MDE for a person … “

1. **Service MDE ID**

Also, from section 6.1.2:

If the court provides a hub Service MDE, the electronic service information returned from this query MUST include the court’s Service MDE ID for all case participants who have one.

Regarding the term ‘Service MDE ID’ (in blue highlight above) from section 6.1.2, is ‘Service MDE ID’ provided by the element ecf:ElectronicServiceInformation/ecf:ReceivingMDELocationID/nc:IdentificationID ?

Note, the definition for ecf:ReceivingMDELocationID is “the location of the filing assembly MDE associated with the person receiving service”. So if the answer to the question above is yes, ‘Service MDE ID” is ecf:ReceivingMDELocationID then the definition of this element within ecf:ElectronicServiceInformation msut be revised. At a minimum, “filing assembly MDE” needs to be replaced by “service MDE”, as in:

“The location of the legal service MDE associated with the person receiving service”.

It may also be appropriate to modify the description for ecf:ReceivingMDEProfileCode too.

Furthermore, it seems to me that requiring a court to include Service MDE IDs for each case participant when a court provides a hub Service MDE, is both inconsistent and onerous.

For starters, it is not clear what it means for “a court” to provide a “hub Service MDE”. Does it make a difference who provides the hub Service MDE? If the hub Service MDE is provided by an independent third party, would it still be important for the court to meet this requirement and return Service MDE IDs for all participants?

Next, it seems inconsistent to have differing requirements simply because of implementation topology variations. It’s not clear why this may have been considered important or necessary. Even when not using a hub Service MDE, there may be multiple different Legal Service MDE provider options within a single e-filing implementation (none of which may be hubs). Whenever there is more than one Service MDE provider option, the knowledge of which to use for each specific participant is necessary.

Finally, it does not appear appropriate to place the burden of keeping track of (e.g. retaining) which Service MDE to use for each participant onto, the court. It seems that this may be more appropriately the responsibility of the FAMDE. After all, it is the FAMDE that invokes the ServeFiling operation, not the court. And after all, the GetServiceInformation operation is not mandatory (is optional). So if a court does not provide the GetServiceOperation, and an FAMDE still wants to support service of process, then the FAMDE must retain knowledge of which Service MDE to use for each participant, when there is more than one Service MDE provider available. Note: when there is only a single Service MDE provider available, then knowing which Service MDE to use is trivial.

1. **GetServiceInformationRequest**

The purpose of ecf:ElectronicServiceInformation in GetServiceInformationRequestMessage is unclear.

Has this been provided so that service information can be requested for specific recipients (e.g. in a manner akin to the function of ecf:CaseTypeCode in GetPolicyRequest)?

1. **GetServiceInformationResponse**

Section 6.1.2 GetServiceInformation provides that a “service list” is returned.

It is not clear which elements in GetServiceInformationResponse comprise the “service list”, however I presume it to be servicinformationresponse:ServiceRecipient, where the “service list” is comprised of one or more ServiceRecipient elements. Is this correct?

I observe that ServiceRecipient does not include ecf:ServiceRecipientID, however ecf:ServiceRecipientID is provided in cbrn:MessageStatus/ecf:MessageStatusAugmentation. Should there be any correlation between ServiceRecipient and ecf:ServiceRecipientID in ecf:MessageStatusAugmentation?

Note that the serviceinformationresponse.xml example does not include cbrn:MessageStatus, but I am not sure how to interpret its absence.

So if there should be a correlation between ServiceRecipient and ecf:MessageStatusAugmentation/ ecf:ServiceRecipientID how is it established?

1. **DocumentControlID examples**

As revised in WD 20, nc:DocumentFileControlID “is a reference to a unique document in the Court Record system and assigned by the Court Record MDE” (see section 6.2.4 Document Identifiers).

Either some of the xml examples will also need to be revised, or perhaps I do not understand the use cases represented by the examples. For example, in civil.xml and in criminal.xml the elements filing:FilingConnectDocument/nc:DocumentFileControlID and filing:FilingLeadDocument/nc:DocumentFileControlID have element values of 1 and 2 respectively. Since this is the FilingMessage which is used both in the ReviewFiling operation call and the ServeFiling operation call, it is not clear which circumstance or use case is being portrayed by the examples. Nevertheless, it is generally understood that both of these operations are invoked before RecordDocketing (this is certainly true for ReviewFiling, but not necessarily true for ServeFiling for which the expectation is that occurrence happens “at approximately the same time a Filing Assembly MDE submits the filing to the court”).

Therefore, at least for the ReviewFiling scenario, the value for nc:DocumentFileControlID cannot yet have been assigned by the Court Record MDE. This assignment is expected to occur in the RecordDocketing operation, and the values assigned are expected to be returned to the FRMDE and FAMDE in NotifyDocketingComplete and NotifyFilingReviewComplete messages. Note however that there is no requirement (i.e. it is not normative) to return CRMDE assigned document identifiers in either NotifyDocketingComplete (docketcallback.xsd) or NotifyFilingReviewCompleteMessage (reviewfilingcallback.xsd). This is neither required in the written specification document or required in schema (note the cardinality for nc:DocumentFileControlID in both FilingLeadDocument and FilingConnectedDocument is 0,1).

1. **nc:CaseFiling**

In section 6.2.4 Document Identifiers, the element nc:CaseFiling/nc:DocumentIdentification is specifically called out.

However, I cannot locate the element nc:CaseFiling. At a minimum, I would expect to find it in niem-core.xsd, but I cannot.

Where does nc:CaseFiling appear?

However, I did locate ecf:CaseFiling in ecf.xsd.

Did you mean ecf:CaseFiling instead of nc:CaseFiling in 6.2.4?

1. **Document Identifiers – unique within a court**

Section 6.2.4 Document Identifiers requires that ‘Document Identifiers’ “MUST be unique within a court”.

Three specific elements are listed:

* nc:CaseFiling/nc:DocumentIdentification/nc:IdentficationID
* nc:Document/nc:DocumentIdentification/nc:IdentficationID
* nc:Document/nc:DocumentFileControlIdentification/nc:IdentficationID

Since each of the elements above identifies a different kind of thing (‘a filing transaction’, ‘a document in a message’, and ‘a document in the CRMDE’) is not the court uniqueness requirement too broadly applied? Shouldn’t this court uniqueness requirement only apply to the third element (i.e. nc:Document/nc:DocumentFileControlIdentification/nc:IdentficationID)?

If you do not think that it is too broadly applied, then what exactly does this court uniqueness requirement mean?

1. **nc:Document**

Now that nc:Document has been removed from documentrequest:GetDocumentRequestMessage, where do the other two Document Identifiers listed above from section 6.2.4 appear (i.e. bullets 2 and 3)?

For nc:Document/nc:DocumentFileControlIdentification/nc:IdentficationID (from above), should this instead be as shown below?

ecf:GetDocumentRequestMessage/ nc:DocumentFileControlIdentification/nc:IdentficationID

1. **Document Identifier Content References**

Document Identifiers, as we used to know them, may still be needed for content references, however there is a way out.

Section 6.2.4 Document Identifiers, still includes:

ecf:ReviewedLeadDocument MUST reference filing:FilingLeadDocument and ecf:ReviewedConnectedDocument MUST reference filing:FilingConnectedDocument using nc:DocumentIdentification/nc:IdentificationID.

None of these elements are listed or addressed in the bulleted items preceding the above statement in the specification document.

Also, how this requirement would be satisfied using element references and not content references has not yet been fully nailed down.

I show one approach in the docket.xml example using nc:DocumentAssociation. I proposed this method in ‘ECF5 Spec Considerations – 10.doc’, item #2 where three different options were presented. The response commentary for this item included:

Changed docket.xml to use nc:DocumentIdentification/nc:IdentificationID rather than structures:ref to reference the lead and connected documents.

The relevant XML snippet from docket.xml for WD 14 is shown below:

<ecf:ReviewedConnectedDocument structures:ref="Document2" xsi:nil="true"/>

<ecf:ReviewedLeadDocument structures:ref="Document1" xsi:nil="true"/>

Whereas this does relate the reviewed lead and connected documents to the original filing lead and connected documents using element references, and without the need for content references, this method does not work in most circumstances. The method shown above may work for auto-acceptance Filing Review operations, where the actual acceptance disposition is implied and need not be actually expressed, but it cannot work in normal clerk review scenarios where the clerk’s disposition is necessary.

It cannot work since the necessary clerk review result elements (e.g. ecf:DocumentReviewStatus, ecf:DocumentReviewer) are child elements of ecf:ReviewedConnectedDocument and ecf:ReviewedLeadDocument. NIEM Rule 12-2 precludes the use of child elements when structures:ref is used.

An alternative method can be applied that employs element references and does not use content references. This method is alternative C. from ‘ECF5 Spec Considerations – 10.doc’, item #2, which uses nc:DocumentAssociation, and illustrated in the current docket.xml example.

There is just a couple of loose ends.

* The alternative proposes that the value for ecf:DocumentRelatedCode should be ‘reviewed’. The TC needs to agree to the use of this value or some alternative value. The specification then needs to prescribe its use of this value as normative, and it needs to be included in the gc file.
* The statement:

ecf:ReviewedLeadDocument MUST reference filing:FilingLeadDocument and ecf:ReviewedConnectedDocument MUST reference filing:FilingConnectedDocument using nc:DocumentIdentification/nc:IdentificationID.

Must be revised to something like:

ecf:ReviewedLeadDocument MUST reference filing:FilingLeadDocument and ecf:ReviewedConnectedDocument MUST reference filing:FilingConnectedDocument using nc:DocumentAssociation/nc:PrimaryDocument, and ecf:DocumentRelatedCode with a value of “reviewed”.

1. **Message Identifiers vs Document Identifiers**

Perhaps section 6.2.4 Document Identifiers can be cleaned-up somewhat if we recognize ‘Message Identifiers’ as something different than ‘Document Identifiers’.

Whereas ‘Message Identifiers’ may also use the element nc:DocumentIdentification/nc:IdentificationID, messages are nevertheless very different things than documents. ECF makes this distinction and provides separate definitions in section 1.1 Terminology.

Upon recognizing distinction, then section 6.2.8 Document Identifiers can be cleaned-up. The first and the second of the three bullets would be removed. The second bullet could be moved to a new section for Message Identifiers. Since the first of the three bullets identifies a transaction and not a document, perhaps there should also be a section on Transaction Identifiers.

The revised Section 6.2.4 may appear as below:

6.2.4 **Document Identifiers**

Documents are uniquely referenced using Document Identifiers. Elements for documents are derived from nc:DocumentType which provides Document Identifiers that are labeled using nc:DocumentIdentification/nc:IdentificationID and nc:DocumentFileControlID/nc:IdentificationID. Intended usage is described as follows:

* nc:DocumentIdentification/nc:IdentificationID is provided for external content references to identify a document in different XML instance documents used in separate transmissions. For example, in the NDC (NotifyDocketingCompleteMessage) it is necessary to communicate information about the reviewed documents. It is important and necessary that this document information can be correlated with the original filing document. This is accomplished by providing an external content reference for the filing document, then returning this external document content reference value with the reviewed documents in the NDC.
* nc:DocumentFileControlIdentification/nc:IdentificationID is reference to a unique document in the Court Record system and is assigned by the Court Record MDE. The values for this element MUST be unique within a court.

The following is a non-normative example of a document with content reference identifier value of “1”:

<filing:FilingConnectedDocument>

…

<nc:DocumentIdentification>

<nc:IdentificationID>1</nc:IdentificationID>

</nc:DocumentIdentification>

…

</filing:FilingConnectedDocument>

ecf:ReviewedLeadDocument MUST reference filing:FilingLeadDocument and ecf:ReviewedConnectedDocument MUST reference filing:FilingConnectedDocument using nc:DocumentAssociation/nc:PrimaryDocument, and ecf:DocumentRelatedCode with a value of “reviewed”.

A new section for message identifiers may include:

6.2.n1 **Message Identifiers**

Messages are identified using Message Identifiers. Message Identifiers are labeled by nc:DocumentIdentification/nc:IdentificationID when present as an immediate child in a message element, such as filing:FilingMessage, serviceinformationrequest:GetServiceInformationRequest, documentrequest:GetDocumentRequest, etc. Although the use of Message Identifiers is required, this specification sets no requirements on the content or format for these message identifiers. Message Identifiers are provided by the message originating MDE.

.

The following is a non-normative example of a message identifier:

<filing:FilingMessage ... >

…

<nc:DocumentIdentification>

<nc:IdentificationID>cf42805c-5e4d-4ba3-850a-c9c635c255b5</nc:IdentificationID>

</nc:DocumentIdentification>

…

</filing:FilingMessage>

An additional new section for transaction identifiers may also be appropriate, however I think this requires additional deliberation first. At present (WD21), the element nc:CaseFiling/nc:DocumentIdentification is described as being used to uniquely identify a filing transaction (6.2.8). It is not clear what this means and how a transaction identifier is different than a message identifier.

Also, the term “filing identifier” is used in section 6.1.4 ReviewFiling. Is this “filing identifier” the same or different than “transaction identifier”?

Also note that section 6.2.6 addresses filing identifiers, but this definition is restricted to CancelFilingMessage, MessageStatus message, FilingStatusRequest message, and FilingStatusResponse message, and therefore does not apply to “filing identifier” in 6.1.4 ReviewFiling.

1. **Document Number**

Section 6.1.15 Get Document, states: “If this operation is enabled by court policy, a Filing Assembly MDE MAY invoke the GetDocument query operation, including the case number and document number . . .”.

Is the term “document number” as used in 6.1.15 the same as “Document Identifier”, and if so, then which Document Identifier? I presume that the answer is nc:DocumentFileControlID, however GetDocumentRequestMessage also has nc:DocumentIdentification and includes the nc:DocumentFileControlID element twice:

documentrequest:GetDocumentRequestMessage/nc:DocumentFileControlID (which appears before ecf:FilingPartyID), and

documentrequest:GetDocumentRequestMessage/nc:DocumentFileControlID (which appears after nc:CaseTrackingID)

Recommendations:

* Consider using the term “document number” to refer to nc:DocumentFileControlID, and use the term “document identifier” to refer to nc:DocumentIdentification.
* Clarify which nc:DocumentFileControlID to use in GetDocumentRequestMessage to specify the document(s) being requested, or in the alternative remove one of the two nc:DocumentFileControlID elements, ensuring that the remaining element has cardinality 0, unbounded.

1. **NotifyDocketingComplete Document Identifiers**

In section 6.1.19 NotifyDocketingComplete, it mentions “document identifiers” when describing docketing information that MUST be provided within the message.

Are these “document identifiers” the nc:DocumentFileControlIdentification/nc:IdentificationID variety?

If so, then shouldn’t the specification be more specific and identify the appropriate element?

1. **ElectronicServiceInformation**

The element definition for ecf:ElectronicServiceInformation in filing:FilingMessage is “information provided by the filing assembly MDE to the court identifying the persons being served electronically with a copy of this document.”

Since this element appears at a message level and not a document level, then shouldn’t the definition instead say “… being served electronically with a copy of this filing”?

1. **Code List Schema for UBL**

This question refers to the Code List table in section 4.3.

I had little trouble locating all the gc files and schema (xsd) files for all of the code lists except for the following:



Where do I find ‘UBL-CommonBasicComponents-2.1.xsd”?

Is it only available at <http://docs.oasis-open.org/ubl/os-UBL-2.1/xsd/common/UBL-CommonBasicComponents-2.1.xsd> or is it in the ECF5 deployment zip file?

Using the URL above, I do not find code lists for cbc:CardTypeCode and cbc:PaymentMeansCode in UBL-CommonBasicComponents-2.1.xsd.

1. **Human Readable Policy – restriction advisory**

Section 5.1, Item 7 states:

A description of any restrictions to data property values other than code list restrictions. (This restriction may be removed in later versions of the ECF specification)

The warning that the restriction may be removed has been around for a while. Can we address this in ECF 5 and either remove the item (#7) or choose to retain item 7, and remove the advisory?

1. **Message Content - Optional**

In section 4.1 Messages, beneath the table, in the list of bullets introduced with “Specifically, each ECF 5.0 message contains the following information:”

The fifth bullet, that begins with “Information about one of more lead documents that will be placed on the court’s register of actions …”, this should be revised to begin with “Circumstantially, “.

Not all messages support the exchange of documents. Observe that reservedate.xsd does not permit electronic documents to be included (e.g. there is no FilingLeadDocument, or FilingConnectedDocument, etc.)

1. **Durations**

The reservedate.xml example includes:

<reservedate:EstimatedDuration>P0Y0M0DT1H30M</reservedate:EstimatedDuration>

The definition for the element reservedate:EstimatedDuration is “the estimated duration of a court hearing.” There is no additional information provided in the specification document or normative schema regarding the use of this element and its allowed content.

Appendix B (Informative) Release Notes, section B.4 Date and Time Formats provides guidance on the proper formatting of NIEM date and time elements.

It seems that a new subsection should be added for proper formatting of duration elements.

I presume the duration is expressed in the ISO 8601 standard. Assuming that this is correct, I notice that ISO 8601 is not included in the ‘Normative References’ listing in section 2.1. Should it be included?

Here’s a stab at this:

**Duration Formats**

Durations are time intervals, such as an elapsed amount of time.

Durations are expressed in ISO 8601 format for durations, in the form: “P[n]Y[n]M[n]DT[n]H[n]M[n]S”, where capital letters represent ‘designators’ (described below), and “[n]” represents a numeric integer value; decimal values MUST NOT be used. Although ISO 8601 also supports durations in formats “PnW” and “P<date>T<time>” these formats MUST NOT be used for durations within ECF.

Duration designators are as follows:

* P (for *period*) indicates a duration. This designator is required in all duration values and must be the first character.
* Y identifies that the numeric value immediately preceding this designator is a number of years.
* M identifies that the numeric value immediately preceding this designator is a number of months.
* D identifies that the numeric value immediately preceding this designator is a number of days.
* T (for *time*) indicates that all numeric values and designators which follow to the right are time components.
* H identifies that the numeric value immediately preceding this designator is a number of hours.
* M identifies that the numeric value immediately preceding this designator is a number of minutes.
* S identifies that the numeric value immediately preceding this designator is a number of seconds.

For example: “P4Y5M6DT7H8M9S” describes a duration of “four years, five months, six days, seven hours, eight minutes and nine seconds”.

A duration “component” consists of a numeric value followed by a designator, such as “6D” for “six days”. Although the designator “P” is required, all other duration components are optional, provided at least one duration component is provided. The designator ‘T’ is mandatory when time components “H”, “M”, and “S” are included in the duration. The order in which duration designators appear in the duration value is normative and must appear in the sequence listed above.

The duration “P1M” represents one month. The duration “PT1M” represents one minute.

Durations used in ECF may typically describe an expected or actual length of a court session, such as a hearing. Typical duration values may include “PT1H” (one hour), “PT30M” (thirty minutes). However anticipated duration values for trials may be more typically “P3D” (three days) or even “P1M” (one month).

1. **Reject Schedule Request**

Section 6.1.18 NotifyCourtDate identifies that:

A Court Record MDE MUST invoke the NotifyCourtDate operation on the Court Scheduling MDE that invoked an AllocateCourtDate operation to accept or reject the date(s) requested in the AllocateCourtDate operation.

The court date allocation request result is returned in in the datecallback:NotiifyCourtDateMessage (datecallback.xsd).

When the outcome is a rejection of all suggested potential dates and times, or rejection for any other reason, in which elements is the rejection conveyed?

1. **GetPolicy CaseTypeCode**

Joe Mierwa raised the concern:

“For the GetPolicyRequestMessage, there is no meaningful discussion as to what purpose is served by the case type attribute in the schema, which should probably be located in section 6.1.1 ‘GetPolicy’.”

Although section 6.1.1 includes:

“An MDE (typically, a Filing Assembly MDE) MAY obtain a court’s machine-readable court policy, optionally filtered by specific case type, at any time by invoking the GetPolicy operation on the Filing Review MDE with the identifier for the court.”

I am sympathetic to Joe’s concern and think we should make the ECF specification as easy to understand and complete as we can (within reason of course). I suggest the following revision to section 6.1.1:

"An MDE (typically, a Filing Assembly MDE) MAY obtain a court’s machine-readable court policy by invoking a specific court’s Court Policy MDE GetPolicy operation with the identifier for the court.  When invoked, a requester may OPTIONALLY request case type-specific court policy information for a single specific case type by providing a valid case type value in the ecf:CaseTypeCode element. However, a Court Policy MDE is not required to filter machine-readable court policy to that which is appropriate for a specific case type when the GetPolicy operation is provided a valid ecf:CaseTypeCode element value; nevertheless, in this circumstance, when opting not to filter, the Court Policy MDE MUST return the same machine-readable court policy that would be provided when the ecf:CaseTypeCode element is empty or absent. ”

If the above suggestion (other any other variation revision) is not acceptable, then at a minimum, the existing language in section 6.1.1 must be corrected to replace the errant ‘Filing Review MDE’ (shown in yellow highlight above) with the correct ‘Court Policy MDE’.

1. **ParticipantID**

The definition for ecf:ParticipantID should be “An identifier for an entity” (or some such) and not “An identifier for an attorney.”

ecf:ParticipantID need to be added for nc:EntityItem, such as ecf:ItemAugmentation/ecf:ParticipantID

1. **AttyDiscipline-RVFR.xml example**

Removed comments from the WD20 version which were no longer relevant due to Filer and Attorney ID consolidation through ecf:ParticipantID.

The revised example is provided.

1. **Participant Content References**

Even though use of content references within a single XML instance document (e.g. an internal content reference) has apparently been deprecated, this form of reference is still supported in NIEM and can still be applied in ECF 5.

This existing ECF 5 content reference usage is available for use in ECF5, and is illustrated in the AttyDisciple-RvFR.xml example, a snippet of which is provided below:

<ecf:CaseOfficialAugmentation>

<!-- Below is an organization party referenced using a content reference -->

<ecf:CaseRepresentedParty>

<nc:EntityOrganization>

<ecf:OrganizationAugmentation>

<ecf:CaseParticipantRoleCode>Plaintiff</ecf:CaseParticipantRoleCode>

<!-- This is a Participant ID content reference -->

<ecf:ParticipantID>

<nc:IdentificationID>15</nc:IdentificationID>

<!-- Washington Bar -->

</ecf:ParticipantID>

</ecf:OrganizationAugmentation>

</nc:EntityOrganization>

</ecf:CaseRepresentedParty>

It is possible to provide the equivalent association using element references instead of content references as shown below:

<ecf:CaseOfficialAugmentation>

<!-- Below is an organization party referenced using a content reference -->

<ecf:CaseRepresentedParty>

<nc:EntityOrganization structures:ref="Organization2" xsi:nil="true"/>

</ecf:CaseRepresentedParty>

So to preclude the use of content references (if this is what is wanted), then for ecf:CaseRepresentedParty, either the schema will need to be changed (e.g. which may be difficult), or it would need to be forbade in the specification document.

Disallowing the use of content references for entities in ecf:CaseRepresentedParty would also avoid the need to address and clarify the use of ecf:CaseParticipantRoleCode if/when used in ecf:CaseRepresentedParty along with a content reference.

Also see item #1 in this document regarding normative Party to Attorney representation method.

1. **Actual Means of Service**

Joe Mierwa has provided the following question:

“Serve Filing. My interpretation is that the actual means of electronic service delivery is implied to be present in the filing message, which would have been previously obtained from the ServiceInformationResponseInformation message. If that interpretation is correct, then the example instance is incorrect because no means of electronic service, email or any other form that could be specified.”

J. Cabral’s suggested disposition is:

“No change. Section 6.1.2 describes the getServiceInformation message and the response modeled as serviceinformationresponse:ServiceInformationResponseMessage. This message is intended to be used prior to the ReviewFiling and/or ServeFiling messages to obtain the contact information for the party to receive service including the MDE ID of the Service MDE, the FilingPartyID for receiving service electronically.”

I am not convinced that the response addresses the real question.

The question appears to center on information about the means of service, such as was secondary service by email, postal mail, social media, in-app notifications, or other.

If this understanding of Joe’s issue is correct, then Joe is correct that the service information response example (serviceinformationresponse.xml) does not contain any information specifying the means for secondary service for each case participant.

We should request the suggestions that Joe has offered to provide.

1. **ecf:ElectronicServiceInformation Irrelevancy**

Joe Meirwa has also suggested:

“I think that all example messages except for serve filing should **\*not\*** have ecf:ElectronicServiceInformation at the top of the message.”

I think perhaps that Joe ‘misspoke’ in saying “example messages” as ecf:ElectronicServiceInformation is not present in most examples, unless he was just referring the the filing:ReviewFiling examples (i.e. appellate.xml, civil.xml, citation.xml, criminal.xml, domestic.xml and juvenile.xml). However, if instead of “example messages” Joe intended to say “message schema”, then his suggestion makes more sense. It appears that the schema for all messages include ecf:ElectronicServiceInformation near the ‘top of the message’, whether or not this service information makes any sense in the message.

If this is what Joe really meant, then I too agree (even if it is not what Joe really meant to say, I don’t think this element should appear in messages in which it is irrelevant). This implies that ecf:ElectronicServiceInformation should not be a part of BaseMessage, and should only be included when appropriate, perhaps by augmentation.

1. **Serve Filing Example**

Joe Mierwa has also provided feedback that “an example instance of the serve filing is missing.”

The proposed response (4d) is:

“No change: The ReviewFiling and ServeFiling messages have identical content modeled as filing:FilingMessage. The example instances appellate.xml, civil.xml, citation.xml, criminal.xml, domestic.xml and juvenile.xml are al examples of both messages.”

I do understand that the current ECF 5 specification prescribes filing:ReviewFiling message as used for both the ServeFiling operation and the ReviewFiling operation.

However, I do not see how this is workable. Section 6.1.5 ServeFiling, provides:

“At approximately the same time a Filing Assembly MDE submits the filing to the court, the Filing Assembly MDE MAY serve the entire filing, as a [filing:FilingMessage](file:///C:\Users\JamesECabral\OneDrive\xml\ecf5\schema\filing.xsd), to other parties in the case by invoking the ServeFiling operation on the Service MDE associated with the service recipient.”

Whereas it may be true that when providing secondary service, the service recipients should receive the entire filing:FilingMesssage as provided to the court FRMDE, but this is not enough to effect service by the Legal Service MDE. The Legal Service MDE must also be provided information that identifies the service recipients to be served, and perhaps each recipient’s means of service, and service destination/contact point. This is not currently provided for by filing:FilingMessage.

As such, the message sent on ServeFiling would need to include a ‘Service List” message together (wrapped) with filing:FilingMessage.

The “Service List” message may contain some content similar to GetServiceInformationResponse, such as ServiceRecipient. In this form, only a single ServeFiling invocation would be necessary to request service to all parties and other participants necessary for a filing.

As an alternative, and perhaps this is what is currently intended, each ServeFiling invocation would request service for a single service recipient. This means that for each entity to be served, an identical (or perhaps nearly identical) filing:ReviewFiling message must be sent to the Legal Services MDE. So if there are 10 participants to be served, then there will be 10 invocations of ServeFiling, with each invocation being provided nearly the identical ReviewFiling message (perhaps only different in service recipient information).

If this is the exchange that has been envisioned for ECF5, then the filing:FilingReview message provided to ServeFiling must identify the recipient to be served. How is this done?

I could not find anything in the written ECF5 specification that addresses how service recipients are identified in filing:ReviewFiling when requesting service.

All six ReviewFiling examples (i.e. appellate.xml, civil.xml, citation.xml, criminal.xml, domestic.xml and juvenile.xml) contained the ecf:ElectronicServiceInformation element with identically the same content in all examples except appellet.xml. The element content for the five examples is repeated below:

<ecf:ElectronicServiceInformation>

<ecf:ReceivingMDELocationID>

<nc:IdentificationID>http://example.com/efsp2</nc:IdentificationID>

</ecf:ReceivingMDELocationID>

<ecf:ReceivingMDEProfileCode>urn:oasis:names:tc:legalxml-courtfiling:schema:xsd:WebServicesMessaging-5.0</ecf:ReceivingMDEProfileCode>

<ecf:ServiceRecipientID>

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

</ecf:ServiceRecipientID>

</ecf:ElectronicServiceInformation>

If the above had been extracted from an example Serve Filing message, then is this snippet requesting service to Service Recipient #10 by the Legal Service MDE addressed at http://example.com/efsp2?

If the above understanding is correct, then it seems clear that only a single service recipient can be specified in filing:ReviewFiling.

Many (most?) courts require a filer to provide a “certificate of service” identifying parties and other participants served, typically this is a document, but this may be changing in some courts. So if instead of a “certificate of service” document, the court permitted the filer to provide service information (e.g. data) such as within the ReviewFiling message, then perhaps the above suggested “Service List” would also need to be available for ReviewFiling messages which are provided to the FRMDE in ReviewFiling (RvFR).