

Posted April 26, 2023

## *eCourts – Reports from the Field...*

eCourts is a product of the NCAOC. As a courtesy, IDS will continue to provide updates as we work together to navigate this new system.

[Link: AOC Criminal Bar eCourts Update from April 24, 2023](#)

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### *More information...*

#### **ELEVATED ACCESS:**

Per the AOC, criminal defense attorneys can now apply for **ELEVATED ACCESS**. It is no longer limited to the three case types (i.e., special proceedings, protective orders, and juvenile cases). If you are granted elevated access, you will be able to see PII and all documents marked “public” and “public not portal” for cases in which you are the attorney of record.

To apply, complete [THIS FORM](#) and follow the instructions on side two. Patience is needed from all because (1) “AOC staff will have to process the requests manually so there will likely be a lag between request submission and activation,” and (2) “criminal case type development is ongoing so not all information will be visible at once.”

[LINK TO ELEVATED ACCESS FORM](#)

#### **OTHER FORMS:**

AOC omitted **PII FIELDS** (e.g., SSN) from numerous AOC forms including, but not limited to: Warrant for Arrest, Magistrate Order, and Order for Arrest.

This means the clerks do not have to redact PII on the form.

In turn, these forms should be made available on Portal within 15 minutes after they are issued by a judicial official.

Officials started using these new forms on **April 17, 2023**. As a result, the quick access to charging documents and other documents in which PII was eliminated applies only to cases filed **on or after April 17th**. If the offense date is before then, this does not apply, and the charging instrument may not be available in Portal (but can still be accessed at the clerk’s office).

#### **FILINGS:**

During a recent meeting with AOC, it was mentioned that attorneys must **REDACT ALL PII IN A FILING**, whether for our client or a third party. As you know, attorneys *generally* file documents that only contain our client’s PII.

Therefore, as a reminder: **The redaction applies to all PII contained in the filing.** Chapter 132 of the North Carolina General Statutes controls what information must be redacted.

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As a courtesy, IDS Regional Defender Kevin Boxberger is developing a reference guide for all; he is asking for assistance from any attorney(s) who are well versed in public record law. If you would like to help, please email [Kevin.Boxberger@nccourts.org](mailto:Kevin.Boxberger@nccourts.org) directly.

**EX PARTE MOTIONS AND ORDERS:**

For now, continue filing ex parte motions and orders for expert funds with the judicial support staff [as outlined HERE](#).

For ex parte motions and orders for other relief (e.g., production of documents):

IF FILED, the public and/or prosecutor can see that a motion and order were filed, but they do NOT have access to view the contents of the orders/motions.

AOC is working to resolve this issue.

**NOTIFICATION OF APPOINTMENT:**

**AOC continues to enable/activate notifications of appointment through Odyssey.**

The issue is obtaining the correct contact information for the attorneys. Odyssey was supposed to pull the data from the State Bar ("Bar"), but that was determined to be unreliable. As a result, the attorneys have been advised to ensure their information on the Bar website is correct.

**We are told the Bar is working to create a "service contact" page for attorneys** wherein the attorney can provide the information s/he wants to be included in his or her service contact (different than the information displayed on the membership page of the Bar website).

**For now, clerks/PD Office should continue providing written notice of appointments.**