



InterPARES 2 Project

International Research on Permanent Authentic Records in Electronic Systems

Characterization of Case Study Validated

Case Study 21: Electronic Filing System (EFS) of the Supreme Court of Singapore

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Relevance of the Case Study to InterPARES 2

The purpose of this case study is to examine “the EFS [Electronic Filing System of the Supreme Court of Singapore] specifically in relation to the filing of bankruptcy petitions and summons in chambers bankruptcy.”¹ The EFS provides an opportunity to analyze the “reliability, accuracy and authenticity of electronic records as the system is comprehensive and has a tremendous impact in the delivery of e-government services within the context of Singapore’s juridical framework.”² The relevance of this case study is to enable InterPARES to reach its goals with respect to the study of e-government activities that are conducted using experiential, interactive and dynamic computer technology.

Information about the Creator

The Creator is the Supreme Court of Singapore. Singapore's judicial system was first under the control of the British where in 1807 the English crown granted the East India Company the first Charter of Justice. During the period of merger with Malaysia (1963-1965), the Federation of Malaya Act was established and the Supreme Court of the Colony of Singapore was replaced by the High Court of Malaysia in Singapore while the Court of Appeal became part of the Federal Court. With the independence of Singapore on 9 August 1965, judicial links between Singapore and Malaysia continued until 1969 with the formulation of the Supreme Court of Judicature Act 1969, which re-established the Supreme Court of Singapore, consisting of the High Court, the Court of Appeal and the Court of Criminal Appeal. The Supreme Court building is located in Singapore in the heart of its civic district, across from Parliament House.

The creator’s mandate is “to ensure the administration of justice by establishing an efficient and effective court to enhance access to justice and instil public trust and confidence in the court system.”³

¹ Case Study 21 Final Report, p. 1.

² Ibid.

³ Ibid., p. 3.

The function of the creator is to preside over civil and criminal matters. This function is carried out through the bodies making up the Supreme Court: the Court of Appeal, the High Court, the Constitutional Reference Tribunal and the Supreme Court Registry. The Supreme Court building is equipped with the necessary infrastructure so as to harness the use of IT for its operations.

The Supreme Court of Singapore is made up of three main divisions: Corporate Planning Directorate, Corporate Services Directorate, and Legal Directorate. A Chief Justice heads the institution, and serving under the Chief Justice are judges and judicial commissioners, the Registrar, the Deputy Registrar, senior assistant registrars, assistant registrars and justice's law clerks. Legislation relevant to the Supreme Court includes all the juridical regulations of the Court that govern business processes and documentary forms of records.

Information about the Administrative/Management Function

The Supreme Court of Singapore processes, registers, maintains and preserves bankruptcy records. Bankruptcy petitions, lodgement forms, affidavits, summons, records of court hearing proceedings and published lists of bankrupts are among the documents resulting from the Court's activities. The Court uses a uniform classification scheme comprising all Supreme Court cases and individual case files containing information about each case. A record register also exists as a sub-directory and includes the record profile. The Court uses an Oracle database to store documentary templates and Write Once Read Many Optical (WORM) disks store court records as PDF files. Legal requirements and constraints in relation to the Court's activities surrounding bankruptcy petitions and summons in chambers bankruptcy include the *Bankruptcy Act of 1995* and the *Bankruptcy Act (Commencement) Notification, 1995* (known as Bankruptcy Rules). The *Electronic Transaction Act of 1999* also provides the legislative framework for implementing e-services within the government.

Information about the Digital Entity Being studied

The digital entity being studied is the Supreme Court of Singapore's Electronic Filing System unit, including three types of electronic records: the law firm's front end system, digital certificates and the Court's internal application system manifested in the form of PDF documents, HTML web pages, XML, Oracle and FileNet Databases. The EFS is an integrated workflow application and document imaging system. It facilitates the filing of court records by law firms and enables the speedy retrieval and access of records and information through an electronic information system. The EFS enables law firms to electronically submit and sign their legal records to the courts online at all hours, without sending their clerks to wait in line at the court's registries. Law firms can also serve records to other firms electronically. The EFS permits online searches on relevant case information and extracts of records without the need of on-site inspections at the court registries. Presently, the system has a total of over 1.5 million records and comprises approximately 20 million pages, creating a fully electronic civil registry for both the Supreme and the Subordinate Courts. The EFS has achieved recognition in the following ways: through the Singapore Innovation Class (1994), a programme for achieving innovation excellence; and through the Public Service Award for Organizational Excellence (2001 and 2004).

The Supreme Court is responsible for the preservation of records in the EFS when they are active. When the records are no longer active, it becomes the responsibility of the National

Archives of Singapore. Currently, there is no directive for the long-term preservation of records in the EFS, apart from the process of migrating technologies. Microfilm has been recommended as a means of preserving court records and outsourcing of the management of digital certificates has been proposed as a means of protecting the certificates from technological obsolescence. An Oracle database stores the documentary template of the EFS and court records in PDF format are stored on WORM optical disks, both in a jukebox and in offsite storage.

Access rights to the EFS to users within the Court are based on job roles and competencies. Only registered EFS users who have a smart card obtained by the Supreme Court may file petitions using the EFS. Also required to access the EFS is a front end module which law firms attain by downloading and installing a browser based software from a web portal. Law firms have access to electronic case files within the EFS by means of an index. If a law firm wishes to view extracts of the records, they must seek the approval of the Court and, if granted, a copy of the extract will be transmitted electronically to the firm.