Standard Operating Procedure (SOP) for Case File Access in DCMS

The District Court Case Management System (DCMS) facilitates access to case files for Civil, Family, and Criminal matters by all relevant stakeholders. Access to these files and documents shall be provided strictly in accordance with applicable statutory provisions to ensure compliance with legal requirements.

This Standard Operating Procedure (SOP) outlines the protocols for accessing and sharing case files on the DCMS platform, categorised by type of cases viz. Civil, Family, and Criminal. The objective is to ensure that each user is granted access to the appropriate documents, while upholding confidentiality and legal mandates. **Providing access to case files through DCMS shall be deemed to be the service of copies of records to the concerned parties, as per statutory requirements.**

This SOP is applicable to all Courts in District Judiciary that use DCMS and governs the procedures for accessing and sharing case files to facilitate the service of copies across all case types.

1. General Access Control and User Eligibility

- **Authorized Users:** Access to the records of a case is strictly limited to the advocate representing a party or a party appearing in person appearing in the case concerned.
- **Mandatory Requirements:** Users must be a registered user in DCMS and shall possess a valid DCMS ID (as an advocate or litigant). They shall be correctly mapped to the specific case.

- **Case Records: The records, which are filed and registered in each case and forming part of the case bundle alone will be available for sharing. The records which are filed, but pending scrutiny will not be so accessible till its registration.**

- **Verification:** Court staff must approve case access requests only after verifying that the advocate/party in person corresponds to the appropriate party as per the **Party details and Vakalath or Memorandum of Appearance, if any**.

- **Access to case files** shall be granted with **utmost caution**. Any incorrect assignment of access may result in unauthorized disclosure of sensitive data.

2. Procedure for Civil Matters (Except Family Court)

- **General Access:** All records, including the main case, petitions, and documents, are accessible to all parties and their advocates.

- **Impleading Parties:** A person seeking to be impleaded as a party can be given access to the case file only after the impleadment. Sharing of objection/counter to the impleading petition through DCMS is not currently enabled.

3. Procedure for Family Court Matters

- **Restricted Access:** Access is not automatic and is more restricted than in other civil cases.

- **Access Criteria:** While in other civil cases, copies of the e-filed petitions would be open to the Respondents/Defendants on their appearance, in matters before the Family Court, **the copies shall be accessible/shared with**

the Respondents and their advocates only after the Mediation/Counselling stage is completed and recorded as such in the case proceedings.

- **System Update:** Access must be manually enabled by the Court staff by selecting the **"Mediation/Counselling Completed – Not Settled Status"** option in the **"Copy Service Permission Management"** menu.

4. Procedure for Criminal Matters

A. Prosecutors and Investigating Agencies

Public Prosecutors (Sessions Court): In the Courts of the Sessions Judges, in cases wherein, "State of Kerala" is a party, be it filed by e-filers or those transmitted digitally from police or other agencies, case file access can be provided to the Public Prosecutor/Special Public Prosecutor, as the case may be, for the case by adding them as advocate appearing in that case using **"Case Modification"** Menu. (Provision for automatic visibility will be enabled later.)

Deputy Director of Prosecution/Assistant Public Prosecutor: In the Courts of the Chief Judicial Magistrates/Judicial First Class Magistrates, all cases, which are filed by the Law Enforcement Agencies, whose parent department are marked to DDP/APP, be it filed by e-filers or those transmitted digitally from police or other agencies (e.g., i-COPS), case files shall be visible to the Deputy Director of Prosecution/Assistant Public Prosecutor, as the case may be, assigned to that particular court.

Prosecutor/Standing Counsel appointed by other law enforcement agencies: In the Courts of the Chief Judicial Magistrates/Judicial First Class Magistrates, all cases to which "CBI/NIA/ED etc. (other law enforcement agencies) " is a party,

case files can be made visible to the advocate, who is the Public Prosecutor/Special Public Prosecutor for the case by adding them as an advocate appearing in that case using **"Case Modification"** Menu. (Provision for automatic visibility will be enabled later.)

B. Accused Persons

During Investigation Stage: The accused (or their counsel/Legal Aid Defence Counsel) are entitled to view the FIR, First Information Statement, Remand Report, and relevant applications/responses. During the crime stage, the Accused persons in that particular case are entitled to view the First Information Report, First Information Statement, Remand Report, applications filed by themselves/investigating agencies/third parties and the reports/objections filed in response to such applications. These documents can be shared to the counsel for the accused/accused appearing as party-in-person by enabling access to each document in the case concerned through "C**opy Service Permission Management"** Menu.

- If an accused person does not engage a counsel by himself, the access shall be provided to the Legal Aid Defence Counsel(LADC) deputed to defend his case, by adding the LDAC as an advocate appearing in that case using **"Case Modification"** Menu.

After submission of Final Report etc.,: After the appearance of the accused in the court pursuant to a summons/warrant, the accused shall be given access to the records as per

- The access to the records in cases, which are filed by the police through iCops, the records which are filed till the time of taking of

cognizance can be enabled at the time of registration of the case. The access to the records filed to that case thereafter, shall be enabled individually using **"Copy Service Permission Management"** Menu.

- If access to any of the records is to be restricted, then **copy access shall not be enabled** in such cases at the time of registration. In such cases, access to the records, which can be made accessible, can be provided by selecting each document through "**Copy Service Permission Management"** Menu.

- In cases wherein the law enforcement agency files Final Report/Complaint otherwise than through iCops, the access to the records, which can be made accessible, can be provided by selecting each document through "**Copy Service Permission Management"** Menu.

Private Complaints and petitions: After the appearance of the accused/respondent in the cases instituted upon private complaint or petitions, the access to the records, which can be made accessible, can be provided by selecting each document through "**Copy Service Permission Management"** Menu.

C. Victims

After the appearance of the victims in the cases, access to the records that may be shared can be provided to the **counsel for the victim** by selecting each document through the "**Copy Service Permission Management**" menu.

5. File Uploading Process

Physical Filings: Documents produced physically (e.g., under e-Filing Rule 10 exemptions, witness documents, or cross-examination records) must be uploaded by court officials using the **"Offline Filing Module"**.

Court-Generated Records: Documents such as witness depositions must be uploaded via the **"Witness Depo/Court doc Upload"** module.

When uploading criminal matter files, court users must ensure sensitive information is not shared unless specifically permitted by the court.

Note: Any incorrect assignment of access may result in unauthorized disclosure of sensitive data and the officer providing access alone shall **be responsible for the consequences arising from improper access assignment.**