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ASC X9 Creating Standard for Electronic Responses to Subpoenas by Banks

Working Group Earlier Issued Related Standard for Electronic Exchange of Certain Legal Orders

ANNAPOLIS, Md. – Dec. 4, 2018 -- The Accredited Standards Committee X9 Inc. ([X9](#)) is working to develop a new set of standards, "X9.144 Production Subpoena Orders Exchange," for electronic delivery of and response to subpoenas received by financial institutions. Subpoenas for bank records arrive through a variety of channels and in a variety of formats, from a range of sources, and dealing with them is labor-intensive. These new standards for electronic presentment and production of subpoenaed materials will result in efficiency gains through improved quality and speed, as well as reduced processing costs. Participants are [sought](#) for this initiative.

Subpoenas are served upon banks by federal, state, and local government agencies and law firms, and the volume of requests has recently been growing. The documents come to banks via mail, email and fax, or are physically delivered. After a bank receives a subpoena, the process for responding to and fulfilling it is highly manual, time-consuming and vulnerable to errors, and automation is applied only in limited areas. Standardized electronic file formats for the different request types will yield benefits for both the subpoena requester and responder.

Specific benefits will include:

- Reduced errors
- Improved process and output quality
- Improved service-level tracking and management
- Reduced operational costs, in both labor and materials
- Improved records management
- Improved fulfillment time
- Faster subpoena delivery to the correct internal unit for processing
- Reduced risk of legal and financial liability for errors and delays

The X9.144 work is being undertaken by X9's X9B22 Legal Orders working group, which welcomes additional stakeholders and subject matter experts to [participate in this effort](#); for

example, software companies that might be interested in developing products around the standard.

"This new standards set will deliver long-needed efficiency and streamlining to what has historically been a paper-intensive and highly manual situation, eliminating much of the opportunity for human error and creating positive results for all involved," said Steve Stevens, X9 executive director.

ANSI X9.129 Legal Orders Exchange

X9.129 establishes the file sequences, record types and field formats to be used for the electronic bilateral exchange of legal orders, specific to levies and asset-based orders. Like subpoenas, legal orders of these types can be generated in a large number of formats from various sources. Once banks receive the requests, they typically have fulfilled them through highly manual, time-consuming, error-prone processes. Using this set of standards for electronic file formats for the different request types benefits both the requester and the receiver, through automation of the process. X9.129 was published in December 2017 and is [available for download](#). It has already been implemented at some leading U.S. banks.

About the Accredited Standards Committee X9 Inc.

The Accredited Standards Committee X9 Inc. is a non-profit organization accredited by the American National Standards Institute (ANSI) to develop both national and international standards for the financial services industry. X9 has over 100 member companies and over 400 company representatives that work to develop and maintain approximately 100 domestic standards and 58 international standards.

The subjects of X9's standards include: retail and mobile payments; printing and processing of checks; corporate treasury functions; block chain technology; processing of legal orders issued to financial institutions; tracking of financial transactions and instruments; tokenization of data; protection of financial data at rest and in motion; electronic contracts; and remittance data in business payments. X9 also performs the secretariat function and provides the committee chair for ISO TC 68, which produces international standards for the global financial services industry. For more information about X9 and its work, visit www.x9.org.

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