

Supreme Court of Florida

No. AOSC08-15

IN RE: ELECTRONIC TRANSMISSION AND FILING OF
DOCUMENTS UNDER FLORIDA RULE OF JUDICIAL
ADMINISTRATION 2.525 FOR CLAY COUNTY

ADMINISTRATIVE ORDER

Pursuant to rule 2.525, Florida Rules of Judicial Administration, “[a]ny court or clerk of court may accept electronic transmission of documents for filing after the clerk, with input from the chief judge of the circuit, has obtained approval of the procedures and program for doing so from the Supreme Court of Florida.”

In In re: Electronic Transmission and Filing of Documents Under Florida Rule of Judicial Administration 2.525 for Clay County, No. AOSC07-20 (Fla. April 23, 2007), Clay County was authorized to initiate the electronic filing of civil cases and has now satisfied all the terms and conditions of that administrative order. The Clerk of Court for Clay County has submitted a request for authorization to discontinue follow-up paper filing.

The Electronic Filing Committee of the Florida Courts Technology Commission, pursuant to the procedure established by the Supreme Court, reviewed the request and recommended that the Supreme Court of Florida approve

the request from Clay County. The Florida Courts Technology Commission concurred with the recommendation of the Electronic Filing Committee.

Accordingly, the Clay County Clerk of Court's request for certification to discontinue the follow-up paper filing requirements is hereby approved subject to the following terms and conditions:

a. The Clay County Clerk of Court may implement the aforementioned technology procedures in accordance with the approved plan effective on the date of this order.

b. The Clay County Clerk of Court shall ensure that there is no possibility for vendors to release or distribute court data to third parties and that the Clerk of Court retains the designation as custodian of the court records.

c. The Clay County Clerk of Court shall ensure that contract provisions prohibit any vendor from extracting, data mining, or engaging in similar activities with regard to information from original court filings and other court records or any associated databases containing court records in the circuit for commercial or other non-court related uses.

d. The Clay County Clerk of Court shall ensure that no fees other than statutorily required fees can be assessed or collected by the Clerk of Court.

e. The Clay County Clerk of Court shall ensure that remote data backups will be stored in a protected environment a minimum of 50 miles from the primary

production location of the court record, and that the Circuit will comply with established data backup standards as they are revised and updated.

f. This approval does not constitute an approval of any electronic forms that may be used in this process.

g. The Clay County Clerk of Court shall submit a summary report at the conclusion of a six-month term of system operation without paper follow-up to the Chairman of the Electronic Filing Committee.

h. The Clay County Clerk of Court shall require that a brief satisfaction survey be completed by the users of this system through a browser-based survey tool, with results to be compiled by the Office of the State Courts Administrator, for additional review by the Electronic Filing Committee.

i. The Clay County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).

j. The Supreme Court anticipates the approval of a statewide e-filing “portal” to ensure equal access to electronic filing across the state and has directed that the Florida Courts Technology Commission make implementation of such a system a priority of the judicial branch. All local electronic filing systems must be compatible with the statewide electronic filing portal and approval of Clay County’s request is contingent on the system’s compatibility with the statewide portal when it is approved.

k. At the present time, the Court is considering enhancements to current electronic filing practices throughout the State. There is a possibility that these enhancements may include the development and application of new business practices and technology standardization. Because these enhancements may occur in the near future, it will be the responsibility of the Clerk to ensure that functionality of the proposed system related to electronic court records will also be made compliant with these new technological enhancements.

DONE AND ORDERED at Tallahassee, Florida, on May 12, 2008.



Chief Justice R. Fred Lewis

ATTEST:



Thomas D. Hall
Clerk, Supreme Court

