

# Supreme Court of Florida

No. AOSC09-12

IN RE: ELECTRONIC TRANSMISSION AND FILING OF  
DOCUMENTS UNDER FLORIDA RULE OF JUDICIAL  
ADMINISTRATION 2.525 FOR LEON COUNTY, IN THE  
SECOND JUDICIAL CIRCUIT

## 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 Leon County, No. AOSC08-8 (Fla. March 19, 2008), Leon County was authorized to implement an Electronic Citation System to support the electronic transmission of traffic citations for the Civil Division of the Second Judicial Circuit in and for Leon County. The Leon County Clerk of Court has submitted a request for approval to discontinue the practice of having law enforcement send paper copies of traffic citations. The Leon County

Clerk of Court has satisfied all the terms and conditions as previously set forth in AOSC08-8.

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 Leon County. The Florida Courts Technology Commission concurred with the recommendation of the Electronic Filing Committee.

Accordingly, the Leon County Clerk of Court's request to discontinue the practice of having law enforcement send paper copies of traffic citations, is hereby approved subject to the following terms and conditions:

- a. The Leon 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 Leon 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 Leon 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

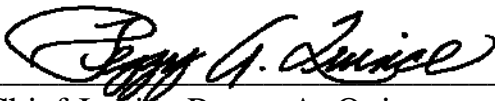
and other court records or any associated databases containing court records in the circuit for commercial or other non-court related uses.

- d. The Leon 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 Leon County Clerk of Court shall ensure that remote data backups will be stored in a protected environment that is not subject to the same risks as the primary site 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 Leon County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- h. 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

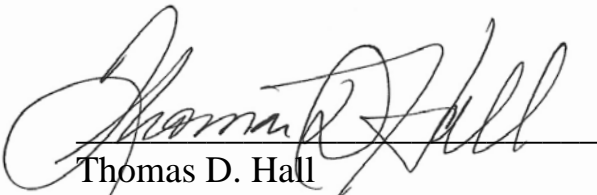
electronic filing portal and approval of Leon County's request is contingent on the system's compatibility with the statewide portal when it is approved.

- i. 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 March 27, 2009.

  
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Chief Justice Peggy A. Quince

ATTEST:

  
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Thomas D. Hall  
Clerk, Supreme Court

