



**Judge Lisa Taylor Munyon, Chair
Florida Courts Technology Commission
c/o Office of the State Courts Administrator
500 S. Duval Street, Tallahassee, Florida 32399-1900**

September 21, 2012

The Honorable Robert E. Roundtree, Jr.
Chief Judge, Eighth Judicial Circuit
Alachua County Courthouse
201 East University Avenue
Gainesville, Florida 32601

RE: Request to implement judicial officer e-signature process in Alachua, Baker, Bradford, Gilchrist, Levy, and Union counties, Eighth Judicial Circuit

Dear Judge Roundtree:

Supreme Court Opinion No.SC10-241, In re: Amendments to the Florida Rules of Judicial Administration – Rule 2.236 (July 1, 2010) provides that the Florida Courts Technology Commission “evaluate all such applications to determine whether they comply with the technology policies established by the Supreme Court and the procedures and standards created pursuant to this rule, and approve those applications deemed to be effective and found to be in compliance.”

The purpose of this letter is to inform you that on September 18, 2012 the Electronic Filing Committee (EFC) reviewed and recommended approval of your request to implement an electronic signature process for the issuance of warrants, orders, and other documents generated by a judicial officer.

Based on your request, dated August 30, 2012, these processes will be used in an effort to increase efficiency and expediency in disposition and case processing. It is stated that the clerk of court will receive executed Orders via e-mail or other secure electronic transfer processes, and that the judicial officer, judicial assistant, court administration, and clerk staff will work together to develop e-mail or other secure electronic processes by which the clerk can accept and process electronic delivery of the Order. The paper process will still be available for those divisions that are not able to immediately implement the new process, as well as for pro-se litigants.

Accordingly, as Chair of the Florida Courts Technology Commission I hereby approve the Eighth Judicial Circuit's request to implement the use of an e-signature process.

Approval of this electronic initiative is contingent upon compliance with the policy considerations and directives regarding the development and application of new technological standardization and enhancements as set forth by the Supreme Court. Violation of any of the following conditions shall constitute grounds for revocation of the approval to implement the above mentioned electronic processes in the Eighth Judicial Circuit.

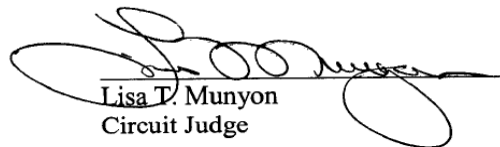
- a. The Eighth Judicial Circuit and each Clerk of Court within the Circuit may implement the aforementioned technology procedures in accordance with the approved plan effective on the date of this letter and must adhere to the statewide standards for electronic access to the courts as outlined in In re: Statewide Standards for Electronic Access to the Courts, AOSC09-30 (Fla. July 1, 2009).
- b. The Eighth Judicial Circuit and each Clerk of Court within the Circuit 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 Eighth Judicial Circuit and each Clerk of Court within the Circuit 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 Eighth Judicial Circuit and each Clerk of Court within the Circuit shall ensure that no fees other than statutorily required fees are assessed or collected by the clerk of court.
- e. The Eighth Judicial Circuit and each Clerk of Court within the Circuit shall ensure that the data is backed up and is recoverable. The clerk of court will ensure that remote data backups are stored in a protected environment a minimum of 50 miles from the primary production location of the court record or at a certified hardened facility, and that the circuit complies with established data backup standards as they are revised and updated.
- f. The Eighth Judicial Circuit and each Clerk of Court within the Circuit shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- g. The E-Filing Court Records Portal, developed by the Florida Association of Court Clerks Services Group (FACCSG), has been identified as the statewide e-filing portal. To ensure equal access to electronic filing across the state, the Supreme Court has directed that the Florida Courts Technology Commission make implementation of the statewide system a priority of the judicial branch. All local electronic filing systems must be compatible with the statewide e-filing portal and approval of each of the above electronic processes is contingent on the system's compatibility with the statewide portal.

- h. At the present time, the Supreme 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 of court for the respective county to ensure that functionality of the proposed system related to electronic court records will also be made compliant with these new technological enhancements.
- i. The Eighth Judicial Circuit and each Clerk of Court within the Circuit shall ensure that the e-process systems comply with the Americans with Disabilities Act of 1990 and the Section 508 standards as incorporated into Florida law, and is accessible to users with disabilities. Furthermore, if the system is amended, updated, or improved in the future, the Eighth Judicial Circuit and each Clerk of Court within the Circuit shall continue to ensure that the system complies with the Americans with Disabilities Act of 1990 and the Section 508 standards as incorporated into Florida law.
- j. The Eighth Judicial Circuit and each Clerk of Court within the Circuit shall continue to allow for distribution of orders/notices to parties in a case and service of all orders of any nature to be issued on paper. Electronic distribution of orders/notices and service of orders will only be implemented by mutual agreement and acceptance of all parties.

In addition to the foregoing enumerated terms and conditions, the chief judge may, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit, impose electronic filing system or related requirements by local administrative order that are consistent with the terms and conditions of this approval letter.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,



Lisa T. Munyon
Circuit Judge

The Honorable Robert E. Roundtree, Jr.
Eighth Judicial Circuit E-Process Request
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cc: The Honorable Manuel Menendez, Jr., Chair, Electronic Filing Committee
The Honorable J.K. "Buddy" Irby, Alachua County Clerk of Court
The Honorable Al Fraser, Baker County Clerk of Court
The Honorable Ray Norman, Bradford County Clerk of Court
The Honorable Joseph "Joe" W. Gilliam, Gilchrist County Clerk of Court
The Honorable Danny J. Shipp, Levy County Clerk of Court
The Honorable Regina H. Parrish, Union County Clerk of Court
Ted McFetridge, Trial Court Administrator, Eighth Judicial Circuit
Fred Buhl, Court Technology Officer, Eighth Judicial Circuit
Christina Blakeslee, Office of the State Courts Administrator