



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

April 1, 2017

The Honorable Jorge Labarga
Chief Justice, Supreme Court of Florida
Supreme Court Building
500 South Duval Street
Tallahassee, Florida 32399-1900

RE: Florida Courts Technology Commission Yearly Report

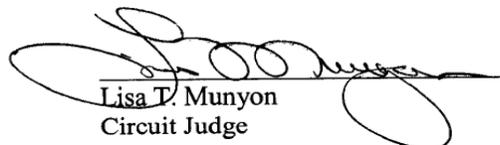
Dear Chief Justice Labarga:

Under the direction of the Supreme Court, the Florida Courts Technology Commission (the Commission) oversees, manages, and directs the development and use of technology within the branch. In carrying out that purpose, the Commission performs its rule-based responsibilities consistent with *The Long-Range Strategic Plan for the Florida Judicial Branch*. One of the primary responsibilities of the Commission is to promote public trust and confidence in the judicial branch by delivering timely, consistent, and useful information through traditional and innovative communication methods, as well as utilizing compatible technology infrastructures to improve case management to meet the needs of the judicial branch and court users.

As Chair of the Commission, I respectfully submit this report on the Commission's work from April 2016 through March 2017. As you will find documented in this report, the Commission and its subcommittees as a whole, continue to enhance the broad range of court services and technology solutions designed to meet the needs of court users by improving transparency, interconnectivity, innovation, and accessibility to all.

The Commission is not making any recommendations to the Court at this time. It has been an honor and a privilege to contribute to these advancements and collaborative accomplishments for the state courts system and judicial branch as a whole.

Sincerely,


Lisa T. Munyon
Circuit Judge

Enclosure

Florida Courts Technology Commission
2017 Yearly Report

April 1, 2017

The Florida Courts Technology Commission was formed pursuant to Rule 2.236, Florida Rules of Judicial Administration (RJA), on July 1, 2010. The Commission was established to advise the Chief Justice and Supreme Court on matters relating to the use of technology in the judicial branch. To ensure continuity and experience on the Commission, the Commission has staggered, three-year terms of membership.

From the Jet Age of the 60s, the PC age of the 80s and 90s, the internet explosion of the 2000s, to the cloud storage world we live in today, Florida continues to be a leader in developing and embracing technology. As the world moves faster, we must lead by example and set new standards for innovation, transparency, productivity, and accessibility for all.

As technology advances, the Florida court system strives to achieve affordability, modernization, and interconnectivity by using data to drive the most efficient use of resources, invest resources wisely, and deliver the best outcomes for the citizens of Florida. Over the last five years, Florida's courts have moved from a paper-based system toward an electronic system and increasingly deploying technology to facilitate the effective, efficient, and fair disposition of cases in a timely manner. Today, the courts are undergoing a substantial technology transformation by generating new solutions in an ever changing world of technology.

Seven subcommittees and several workgroups have been created to work under the auspices of the Commission to focus on different areas of technology in our courts. With the Commission maturing, the Operational Procedure Workgroup was reactivated to update the operational procedures. The Chair of the Commission prioritized the work assignments of the subcommittees and workgroups in order to enable the Commission and its support staff to perform their functions at a rate that is manageable with the existing constraints of staff and travel. Through the committees, subcommittees, and workgroups, the Commission has taken on a number of projects. These groups and the Commission as a whole have devoted considerable time and effort to improving technology in the courts.

During the course of the year, the Commission has been working diligently to oversee implementation of the counties On-line Electronic Records Access systems in compliance with

the *Standards for Access to Electronic Court Records*.

In addition, the Commission worked collaboratively with the Rules of Judicial Administration Committee (RJA) to establish and combine all the technology standards of the court into a consolidated technology standard document, as well as remove the technology standards from the rules. The Commission's work, related to tasks assigned to each group, is described in the section entitled Subcommittee and Workgroup Activities.

Subcommittee and Workgroup Activities

A. Appellate Courts Technology Committee

The purpose of the Appellate Courts Technology Committee (ACTC), which is a standing committee of the FCTC and reports its technology based activities to the FCTC, is to provide technical guidance and consultation to the Commission and the Office of the State Courts Administrator regarding information systems development and operational policies and procedures relating to automation in Florida's Districts Courts of Appeal (DCA).

The ACTC is responsible for ensuring technology initiatives, specific to the Appellate Courts, are aligned with *The Long-Range Strategic Plan for the Florida Judicial Branch* while complying with standards developed by the FCTC. With the successful transition of the appellate case management system, eFACTS, to the eFACTS Change Advisory Board (eFACTS CAB), the ACTC has been able to focus its efforts on refreshing the technologies in use by the five District Courts of Appeal. The continued development of eFACTS is facilitated by the budget authority of the ACTC when supporting the direction of the eFACTS CAB. With this change the ACTC has had no major reports for the FCTC during the course of this year.

E-filing in the appellate courts continues to make progress. Over the past year, with the Florida Supreme Court and the 2nd DCA able to accept e-filings via the statewide Portal, both courts have completed the ability to accept filing fees through the Portal. OSCA's Office of Information Technology has been working together with technical staff of the 1st DCA to bring the back end systems of eFACTS and iDCA/eDCA case management systems together into a unified

environment. Additionally, they have been working on updating the legacy database that the old Case Management System was built on. The appellate courts continue to work with the Florida Court Clerks and Comptrollers (FCCC) on the integrated Portal for appellate filings and anticipate bringing the DCAs onto the statewide e-filing Portal by the end of 2018.

B. Portal Subcommittee

Since 2011, attorneys filing in Florida courts have been required to electronically file court documents through the Portal. As of February 2017, electronic filings have increased to an average of 58,000 a day and over 1.2 million submissions per month. With self-represented litigants now able to file through the Portal, the number of registered filers has increased to over 141,000 by the end of January 2017.

In April 2017, version 2017.01 of the Portal will be released. Most of the enhancements in this first release of the year deal with the architecture of the Portal. The Florida Court Clerks and Comptrollers (FCCC) will be doing fee restructuring and working with the state attorneys and public defenders on batch filing so they can submit proposed orders electronically through the Portal, as well as receive e-service through a web service. To better assist filers in their business process, adding the ability to send email notifications to e-service recipients regarding returned submissions to the correction queue and the proposed violation of probation warrant option will also be added.

At the May 2016 FCTC meeting, a demonstration of the proposed order functionality in the Portal was presented. Judges now have a workspace that allows them to review and process proposed orders through the Portal. The judges will have options to download, email, or print orders. In June 2016, a sign and file button was added to the proposed order module. The judge's signature will be embedded and the document will be filed into the case. Using the Portal allows judges to file proposed orders without a Court Application Processing System (CAPS). Once the CAPS viewers are fully functional, judges will not have to go to the Portal to pull information and orders can be processed through the CAPS viewer.

In continuing technology strategies in the judicial branch, the Rules of Civil Procedure, 1.820

Hearing Procedures for Non-Binding Arbitration, Section (g)(3) states, “The arbitrator(‘s)(s’) decision and the originals of any transcripts shall be sealed and filed with the clerk at the time the parties are notified of the decision.” Currently, there are no provisions available for the electronic filing of sealed documents. The Commission accepted the subcommittee’s recommendation that the RJA Committee and the Committee on Rules of Civil Procedure consider an amendment to allow for the processing of sealed documents through the Portal. To improve efficiencies for arbitrators, the current filer role labeled mediator will be expanded to include arbitrators and renamed as mediator/arbitrator.

In the subcommittee’s review of uniformity throughout the state, the receipt of judicially signed orders was an area of inconsistency. With various CAPS around the state, there was a lack of uniformity with regard to the placement of an electronic judicial signature. The concern was raised that placing the electronic signature in certain areas could cause the signature to be missed and lead to an erroneous belief that that the order was not fully executed. With the RJA currently working with electronic judicial signatures, the Commission accepted the subcommittee’s recommendation to evaluate the need for a standard addressing uniform placement of judicial officer’s and clerk’s signatures.

At the November 2016 FCTC meeting, discussions began on the electronic criminal case initiation. Criminal case initiation is a complex issue and will have many entities involved, i.e., police agencies, state attorneys, sheriffs association, etc., as well as additional data elements requirements. The preliminary workgroup has been established and will be meeting in the near future to begin the process of establishing criminal case initiation through the Portal.

Currently, with the assistance of the FCCC and the Florida Bar, the subcommittee is considering the possibility of allowing the Portal to prevent attorneys who are not in good standing with the Florida Bar from filing through the Portal. In conjunction with the Portal User Group, the subcommittee continues to review specifications for diverse filer roles and revisions that are needed to enhance the Portal.

C. DOC Joint Workgroup

This workgroup was formed to explore the viability of establishing a secure line for Department of Corrections (DOC) staff to submit violation documents to the Court, and to investigate the possibility of providing inmates access to file documents through the Portal in some controlled manner. The workgroup met in Tallahassee with DOC staff in May 2016.

The DOC was open to establishing a secure process for the submission and approval of proposed violation of supervision documents. The process would be similar to the Proposed Order functionality already established within the Portal and is designed for a phased-in approach. The process would allow the proposed affidavit and warrant to be sent to the judge electronically, where the judge could electronically approve it and return an approved warrant to the DOC. The organizations would be created in the Portal based on the DOC profile and DOC would be responsible for managing their own profiles. Once a county was ready to receive proposed warrants, the probation officer would see the option in the county's dropdown menu and be able to select the judicial officer. The Commission accepted the workgroup's recommendation to approve the Proposed Warrant Process conceptually and to move forward with the DOC and the Portal to process proposed warrants in a phased-in approach when an individual jurisdiction is ready.

The DOC expressed concerns about providing inmates access to file through the Portal. However, the DOC agreed to internally review the proposal and to discuss it in the future. Further discussions are anticipated on this topic.

D. Comprehensive Case Information System (CCIS) Subcommittee

This subcommittee was formed to oversee the user interface and identify related party information for use in unified family courts. The process involves three steps: 1) identify the information that is currently being captured and figure out how additional information, if necessary, can be captured; 2) decide how to develop the search algorithms to acquire the information in a useful way; and 3) decide how to display the information to the court, clerk, and possibly the parties.

The subcommittee formed a sub-group to determine the information required to be captured and how to go about capturing the related case information in the clerks case maintenance systems (CMS). The Related Party workgroup developed a survey to assess the clerks CMS and determine if they were

capable of capturing the required data to match related parties/cases and if the clerks CMS has the capability to record/store the related case information in a way to be able to retrieve it. The subcommittee reviewed the list of party attributes and identified the most productive data fields for determining related cases. The information seems to be readily available in certain situations; however, it is not being presented consistently.

In November 2016, the FCCC presented a demo on what data is currently available in CCIS. The presentation showed how the search application works and noted the system can be adjusted as necessary to perform the required queries with the current data in CCIS. The subcommittee is continuing to research how to automate search inquiries within CCIS and initiate discussions of interfacing the CAPS with CCIS to display the search results.

E. Abandoned Filings Workgroup (*previously Judicial Review Workgroup*)

In February 2016, the Abandoned Filings workgroup was formed to analyze routing practices of the pending queue and the judicial review process by the clerks' offices around the state for inconsistencies with the rule. In the workgroup's initial analysis of Standard 3.1.13, Local Document Receiving, the workgroup realized there is no queue that permits filings to be reviewed by a judge. To coordinate with the workgroup's charge, the Commission approved the workgroup's recommendation of renaming the workgroup to Abandoned Filings Workgroup and the pending queue to correction queue. This would allow for a sufficient understanding of the filings that were being sent to the queue.

In April 2016, the workgroup completed a survey from the clerks to obtain a listing of reasons that filings were being sent to the correction queue. The survey results were examined for uniformity which developed the proposed standard list of reasons that prevents a filing from being accepted into the clerks' CMS and sent to the correction queue. In November 2016, the Commission accepted the workgroup's recommendation to approve the proposed standard list of reasons for filings to be placed in the correction queue.

In the workgroup's analysis of the list of reasons filings were being placed in the correction queue, a deficiency was identified in the Portal. When the Portal submits a document to the clerks' office,

e-service is effectuated on all parties registered through the Portal. When a filing is placed into the correction queue, no notification goes out to the parties who were initially served electronically. The Commission accepted the workgroup's recommendation to approve that electronic notification be effectuated upon all original electronic service recipients when a submission is returned to the correction queue, resubmitted or placed in the abandoned filings queue.

F. RJA Joint Workgroup

The Joint FCTC/RJA Workgroup worked in conjunction with the Standards Consolidation Workgroup to update the consolidated standards. The joint workgroup is continuing to review the RJA rule sets to remove technology standards from the rules. In addition, the joint workgroup assisted members of the Rules of Judicial Administration Subcommittee B on updating Rules 2.515 Signature and Certificates of Attorneys and Parties, 2.516 Service of Pleadings and Documents, and 2.525 Electronic Filing. These rules were created before the e-filing system existed. Subcommittee B is trying to make the rules match the reality that has emerged since the Portal is the central filing facility and there is no longer a need to accommodate dozens of diverse systems. The RJA committee looks likely to propose a new rule 2.511 that makes use of the Portal mandatory in all of the courts that use it. The report on which Subcommittee B is working to update the above mentioned rules will be presented in the coming months. Detailed information will be provided in next year's report.

G. Certification Subcommittee

The Certification Subcommittee was established to view demonstrations of judicial viewers and certify vendors in compliance with the Functional Requirements for the Court Application Processing System known as CAPS. CAPS is a software application that allows court files to be displayed electronically. The CAPS are used by trial judges or their staff to access and use electronic case files in the course of managing cases, scheduling and conducting hearings, adjudicating disputed issues, and recording and reporting judicial activity on the bench or remotely.

Currently, there are two vendor-based CAPS systems (Mentis Technology Solutions and Pioneer Technology Group) and four internally developed judicial systems (Eighth, Thirteenth, Fifteenth, and Seventeenth Judicial Circuits) in the trial courts. Pioneer, Mentis, the Eighth Judicial Circuit,

and the Thirteenth Judicial Circuit have a CAPS system that was recertified or received initial certification in 2015 and 2016. On January 20, 2017, the Seventeenth Judicial Circuit received full certification. All of the CAPS meet the requirements outlined in the Functional Requirements for Court Application Processing System version 3.0.

The subcommittee received a request from the Court Statistics and Workload Committee (CSWC) to evaluate five recommended enhancements to the Functional Requirements for CAPS. The subcommittee will work with the CSWC to incorporate some of these enhancements into the CAPS standards once they are updated.

As of February 2017, fifty-nine counties have fully implemented their viewer systems in one or more divisions that allow the judiciary to have online access to their cases. Of the remaining eight counties, five counties anticipate implementation by December 2017 and three counties are experiencing delays in the criminal division deployment due to a lack of funding. Although, these systems are functional for judges to utilize for limited case management, until all judges have the capability to electronically sign and file orders through their CAPS, implementations are not fully complete. Currently, there are forty-one counties that have a system with the capability of electronically signing and filing orders through their CAPS.

Funding the CAPS to be fully functional has been challenging. With no funding approved on the comprehensive technology plan for the past three years, OSCA staff, under guidance of the Trial Court Budget Commission (TCBC) and Trial Court Technology Funding Strategies Workgroup (Funding Workgroup), updated the previously submitted technology plans. This year's plan addresses technology needs in transitioning to a statewide implementation of uniform electronic case files and allow the courts to maximize the benefits of the statewide electronic filing system by receiving, manipulating, and managing the electronic record. In addition, OSCA staff worked with Trial Court Administrators and Court Technology Officers to update costs estimates and add issues/move issues to out-years that support the comprehensive *Florida Trial Court Technology Strategic Plan 2015-2019*, for the on-going technology needs for the CAPS, Digital Court Reporting, and Support for Minimum Level of Technology. In August 2016, the TCBC

recommended and the Supreme Court submit a comprehensive FY 17-18 Legislative Budget Request (LBR) to fund the first year of a multi-year comprehensive strategy for addressing statewide technology needs of the trial courts. In October 2016, the Trial Court Technology LBR was submitted to the Legislature and provided detailed information and analysis of the many technology projects included in the comprehensive plan.

H. Access Governance Board

Over the past year, the Access Governance Board (Board) has been overseeing the online electronic records access pilot programs of the clerks of court. The Supreme Court issued Administrative Order AOSC14-19, In re: Standards for Access to Electronic Court Records (amended May 23, 2014). After subsequent feedback from the clerks of court, private attorneys, representatives of the media, and other interested entities, the Standards for Access to Electronic Court Records (standards) and the Access Security Matrix (matrix) were revised to ensure access to electronic court records are consistent with rules and statutes. The Court approved the recommended changes to the standards and matrix and issued Administrative Orders AOSC16-14, In re: Access to Electronic Court Records (April 27, 2016) and AOSC16-107, In re: Standards for Access to Electronic Court Records (December 30, 2016). Clerks of court who want to provide online access to electronic court records must apply to the Board for approval of their Online Electronic Records Access application; conduct a pilot program of at least 90 days to test compliance with the current version of the standards and matrix; and submit at least three monthly status reports to the Office of the State Courts Administrator. After completing the pilot, the clerk of court is required to submit a certification letter to the Board certifying he/she is in compliance with the most recent version of the standards and matrix; provide a written description of the steps, processes, or tools used to validate compliance with the administrative orders; report all incidents of inadvertent release or unauthorized access to confidential information, if any occurred; certify that the clerk took the appropriate corrective actions necessary to address all reported incidents related to confidential information; and agree to incorporate changes to the standards and/or matrix into their existing online electronic records access system. To date, fifty-five counties have their online electronic records access system in production; five counties remain in their pilot phase (Brevard, Hamilton, Lee, Monroe, and Pasco); Wakulla County recently submitted an Online Electronic Records Access application for approval; three

counties do not provide online access (Seminole, Suwannee, and Taylor); Holmes decided to withdraw its online electronic records access application citing extreme budget shortfalls.

The Board is working on standardizing Registered User and Gatekeeper agreements, as well as developing a Request Form to Change the Standards for Access to Electronic Court Records or the Access Security Matrix. The Board will have additional information on these initiatives in next year's report.

I. Standards Consolidation Workgroup

The Standards Consolidation Workgroup (SCW) was established to review and update all of the technical and functional standards. The SCW worked with the FCTC/RJA Joint Workgroup which reviewed the RJA rule sets to find technology standards that apply to the practice of law and overlap with rules of court. The ultimate goal was to remove technology standards from the rules and have the rules reference the consolidated technology standards. The SCW combined the standards and separated them into distinct major parts and renumbered them in a user-friendly way for reference purposes. The combined standards includes: Standards for Electronic Access to the Courts (e-filing standards); Standards for Access to Electronic Court Records; Functional Requirements for Court Application Processing System; Integration and Interoperability Standards; Data Exchange Standards; and Notification by Clerk of System Modification. The SCW also plans to add hyperlinks directly to rules or other documents referenced in the consolidated technology standards. A packet is being prepared to submit to the Court for approval detailing specific changes that were made to the consolidated technology standards. Once the standards are approved by the Court and an administrative order is issued, the new administrative order will supersede previous versions of the aforementioned standards.

J. Document Storage Workgroup

The Document Storage Workgroup was created to review long-term goals and standards for the storage of electronic documents. There are multiple document storage methods available; however, after much research and discussion the workgroup decided to recommend PDF/A-2 as the long-term document storage format to be used. The workgroup developed Standards for Electronic Court Documents to include, document creation and format; document filing; document workflow and

processing; and document delivery. The standards were promulgated to The Florida Bar; Florida Prosecuting Attorneys Association; Florida Public Defenders Association; Florida Court Clerks & Comptrollers; and Florida Guardian ad Litem for their input since they are key judicial partners. Given that the comment period will end after this report is submitted to the court, the workgroup will have details in next year's report.

K. Data Exchange Workgroup

The Data Exchange Workgroup was formed to develop standardized data exchanges between clerk case maintenance systems, CAPS, and state level systems (e.g., Judicial Data Management Services (JDMS) and CCIS). The workgroup expended great effort into developing data exchange standards piecing together the data requirements from many different sources into a data model that is mapped to a National Information Exchange Model (NIEM) compliant model, meets the needs of CCIS 3.0, and provides all of the necessary clerk maintained data which can lead to feature-rich, faster, and more reliable judicial viewers. Volusia County served as the pilot county to test the implementation of CCIS 3.0. The data exchange standards along with the technical documentation received from Volusia County, was provided to different vendors and interested parties for their feedback. The FCTC approved the data exchange standards at its May 2016 meeting. The data exchange standards and technical documentation is available for review on the Florida Courts Technology Standards page <http://flcourts.org/resources-and-services/court-technology/technology-standards.stml>.

The Year Ahead

The FCTC will continue to oversee and manage the development and use of advancing technology within the judicial branch, as well as to keep the Supreme Court apprised of FCTC recommendations for the establishment and promulgation of technology-based court policies and procedures.