



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

May 23, 2012

The Honorable Mary M. Johnson  
Santa Rosa County Clerk of Court  
6865 Caroline Street  
Milton, Florida 32570

**RE: Request to implement electronic form generation and use of electronic signature; use of printed copy of emailed document in case file; electronic distribution of orders/notices; and electronic service of all orders in Santa Rosa County, First Judicial Circuit**

Dear Ms. Johnson:

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 May 16, 2012 the Electronic Filing Committee (EFC) reviewed and recommended approval of your request to implement the use of electronic form generation and use of electronic signatures on all court documents; use of printed copy of an emailed document in the case file; electronic distribution of orders/notices to parties in a case; and electronic service of all orders of any nature.

Based on your request, dated May 8, 2012, these processes will be used in an effort to increase efficiency and expediency in disposition and case processing, and the electronic service of orders will only be implemented by mutual agreement and acceptance of all parties. It is also

stated that your office is working with the State Attorney, Sheriff's office, and other governmental agencies to promote the aforementioned efforts, and that the clerk's office will continue to provide the paper document for the judiciary or any other party on demand.

Accordingly, as Chair of the Florida Courts Technology Commission I hereby approve Santa Rosa County's request to implement the use of electronic form generation and use of electronic signatures on all court documents; use of printed copy of an emailed document in the case file. I also approve the request to implement electronic distribution of orders/notices to parties in a case and electronic service of all orders of any nature provided that the parties agree to such electronic distribution and/or service.

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 Santa Rosa County.

- a. The Santa Rosa County Clerk of Court 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 Santa Rosa 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 Santa Rosa 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 Santa Rosa County Clerk of Court shall ensure that no fees other than statutorily required fees are assessed or collected by the clerk of court.
- e. The Santa Rosa County Clerk of Court 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.

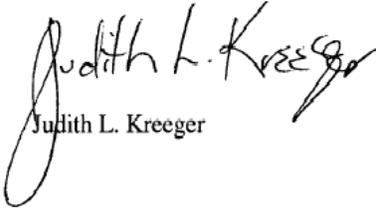
- f. The Santa Rosa County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- g. The E-Filing Court Records Portal, developed by the Florida Association of Court Clerks Services Group (FACCSG), has been identified as the 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 Santa Rosa County Clerk of Court 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 Clerk of Court for Santa Rosa County 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 Santa Rosa County Clerk of Court 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.

The Honorable Mary M. Johnson  
Santa Rosa County E-Process Request  
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Should you have any questions, please do not hesitate to contact my office.

Sincerely,



Judith L. Kreeger

JLK: js

cc: The Honorable Manuel Menendez, Jr., Chair, Electronic Filing Committee  
The Honorable Terry D. Terrell, Chief Judge, First Judicial Circuit  
Robin Wright, Trial Court Administrator, First Judicial Circuit  
Craig Van Brussel, Court Technology Officer, First Judicial Circuit  
Christina Blakeslee, Office of the State Courts Administrator