

Florida Courts Technology Commission Meeting Summary

February 9, 2018

A meeting of the Florida Courts Technology Commission was held at the Holiday Inn in Daytona Beach, Florida on February 9, 2018. The meeting convened at 9:00 A.M., Acting Chair Judge Robert Hilliard presiding.

Members of the Commission in attendance

Judge Ross Bilbrey, 1st DCA
Judge Robert Hilliard, Santa Rosa County
Judge Ronald Ficarrota, 13th Circuit
Judge Scott Stephens, 13th Circuit
Lonn Weissblum, Clerk of Court, 4th DCA
Murray Silverstein, Esquire, Tampa
Jim Kowalski, Jr., Esq., Jacksonville Area Legal Aid
Thomas Genung, Trial Court Administrator, 19th Circuit
Sandra Lonergan, Trial Court Administrator, 11th Circuit
David Ellspermann, Clerk of Court, Marion County
Matt Benefiel, Trial Court Administrator, 9th Circuit

Judge Martin Bidwill, 17th Circuit
Judge Josephine Gagliardi, Lee County
Judge Terence Perkins, 7th Circuit
Judge Stevan Northcutt, 2nd DCA
John M. Stewart, Esquire, Vero Beach
Laird Lile, Esquire, Naples
Christina Blakeslee, CTO, 13th Circuit
Noel Chessman, CTO, 15th Circuit
Mike Smith, CTO, 4th Circuit
Sharon Bock, Clerk of Court, Palm Beach County
Elisa Miller, Akerman LLP

Members not in attendance

Judge Lisa T. Munyon, Chair, 9th Circuit
Karen Rushing, Clerk of Court, Sarasota County

Tanya Jackson, Adam Street Advocates

OSCA staff and Supreme Court representatives in attendance

Justice Ricky Polston, Supreme Court Justice
John Tomasino, Clerk of the Supreme Court
Raja Shekhar
Lakisha Hall

Roosevelt Sawyer, Jr.
Alan Neubauer
Jeannine Moore

Other Attendees

Craig Van Brussel, CTO, 1st Circuit
John Lake, CTO, 3rd Circuit
Jim Weaver, CTO, 6th Circuit
Fred Buhl, CTO, 8th Circuit
Robert Adelardi, CTO, 11th Circuit
Gerald Land, CTO, 16th Circuit
Yvan Llanes, CTO, 18th Circuit
Melvin Cox, Florida Court Clerks and Comptrollers
Carolyn Weber, Florida Court Clerks and Comptrollers
David Lane, Charlotte County Clerk of Court

Isaac Shuler, CTO, 2nd Circuit
Terry Rodgers, CTO, 5th Circuit
Robin Kelley, CTO, 7th Circuit
Brian Franza, CTO, 10th Circuit
Dennis Menendez, CTO, 12th Circuit
Sunil Nemade, CTO, 17th Circuit
Craig McLean, CTO, 20th Circuit
Kim Stenger, Polk County Clerk of Court
Tyler Winik, Brevard County Clerk of Court
Gerald Cates, Duval County Clerk of Court

Laurie Rice, Brevard County Clerk of Court
Thomas Haralson, Highlands County Clerk of Court
Brent Holladay, Seminole County Clerk of Court
David Winiecki, Sarasota County Clerk of Court
Repps Galusha, Orange County Clerk of Court
Jean Sperbeck, Alachua County Clerk of Court
Carole Pettijohn, Manatee County Clerk of Court
Laurie Reaves, Miami-Dade County Clerk of Court
Antonio James, Volusia County Clerk of Court
Susan Dietrich, Seminole County Clerk of Court
Shine Grogan, 7th Judicial Circuit
Amy Borman, 15th Judicial Circuit
Tom Hall, Florida Court Clerks and Comptrollers
Joanne Simmons, 5th District Court of Appeals
Brian Murphy, Mentis Technology Solutions
Chris Stewart, Pioneer Technology Group
Mary Lynn Sullivan, Tyler Technologies

Harold Sample, Pasco County Clerk of Court
Tony Landry, Seminole County Clerk of Court
Mike Phelps, Polk County Clerk of Court
Darlene Garcia, Leon County Clerk of Court
Matt Whyte, Manatee County Clerk of Court
Jeff Taylor, Manatee County Clerk of Court
Tim Smith, Putnam County Clerk of Court
Laura Roth, Volusia County Clerk of Court
Ken Burke, Pinellas County Clerk of Court
Justin Horan, Clay County Clerk of Court
Jon Lin, 5th Judicial Circuit
Thomas Morris, State Attorney 8th Circuit
Sheila Stanbro, 5th District Court of Appeals
Carol LoCicero, Thomas and LoCicero
Frannie Cox, Vista Solutions Group
Steve Green, Equivant

AGENDA ITEM I. Welcome

- a. Judge Hilliard welcomed the commission members and other participants to the meeting. He explained Judge Munyon's absence due to attending a family matter and his appointment as acting Chair. He called the meeting to order and advised everyone the meeting was being recorded. Judge Hilliard called on Judge Perkins to recognize the local guests and thanked them for their hospitality. Judge Perkins described Volusia as being a charter based county and introduced Ed Kelly, as Volusia County's Chair. Mr. Kelley welcomed everyone to Daytona Beach and thanked the Commission for the evolving technology work. Judge Perkins also recognized Mark Weinberg, Trial Court Administrator and Chief Judge Raul Zambrano in the 7th Judicial Circuit.
- b. Lakisha Hall called roll and noted a quorum present.

AGENDA ITEM II. Approval of October Meeting Summary

Motion to approve the meeting summary from the October 26, 2017 meeting of the Florida Courts Technology Commission.

MOTION OFFERED: Judge Josephine Gagliardi
MOTION SECONDED: Murray Silverstein
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM III. FCTC Action Summary

Motion to accept the action summary from the October 26, 2017 meeting of the Florida Courts Technology Commission.

MOTION OFFERED: Laird Lile

MOTION SECONDED: Christina Blakeslee
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM IV. Judicial E-Filing of Orders by Judges Update

This item was deferred to the May 11, 2018 FCTC meeting.

AGENDA ITEM V. Court Application Processing System (CAPS) Update

- a. Alan Neubauer discussed the new progress report that displays the non-deployed systems and the non-Portal filings that are cumulative since inception. Future reporting will include monthly statistics for a better perspective on any trends.
- b. Alan discussed the new CAPS Functionality Map that provides a visualization of the relevant functionality by county. Any suggestions or changes can be relayed to OSCA staff.
- c. As a suggested alternative measure of preparing a spreadsheet, viewers can go to the “Live” [CAPS Functionality Matrix](#) link at the bottom of the progress report page to observe specific details on the individual counties and export the latest information. The CAPS information is entered in the matrix by the CTO’s to accurately reflect the latest county functionality. Judge Hilliard appreciated the graphic representation and took the time to thank OSCA staff for their work during the year in facilitating the meetings.

AGENDA ITEM VI. Portal Progress Report

- a. Carolyn Weber discussed the Portal usage statistics and advised she would be providing the January statistics. There was a total of 1,363,480 submissions through the Portal, of which 1,361,098 were submissions to the trial courts; 637 were submissions to the Department of Corrections; 73 were submissions to the Second District Court of Appeal; 1,191 were submission to the Florida Supreme Court; and 481 were submissions to the Bureau of vital Statistics. The Portal has over 182,000 registered users. On average, it takes less than a day to docket a filing. Carolyn noted January had the highest average submissions per weekday at 62,656, highest submissions during the 3:00 P.M. hour at 8,531, and most new cases filed during a given month at 74,629. The e-filing submissions since 2013 show a gradual progression. Roughly, 1.76% of filings were returned to the correction queue. The number of self-represented litigants continues to grow with over 91,000 registered accounts. Carolyn provided the number of Florida pro se accounts in each state throughout the United States. The third-party vendors submitted a total of 41,906 submissions in the month of January. The FCCC is working with other vendors to get them certified and filing through the Portal in the coming months. Ms. Weber went on to provide an update on submitting proposed orders. Judges in 11 counties are receiving proposed orders electronically through the Portal, whereas judges in 31 counties are e-filing orders via their CAPS system to the Portal. Judges in 49 counties are filing in single session, including the Florida Supreme Court. Carolyn went on to discuss the following projects that the FCCC is currently working on: providing technical support to third party vendors to help them implement system-to-system e-filing; adding Access to Justice (A2J) interviews to the Portal to assist self-represented litigants; working with the FCTC Portal Subcommittee to scope out the process for criminal case initiation; working to clean up bad email addresses in the Portal;

specific writing for Release 2018.01 anticipated for April 20, 2018; and a maintenance release was completed on January 6, 2018. Laird Lile inquired on the average time to docket and how averages can be misleading. He requested specific outliers to distinguish the counties that take multiple days to docket. Carolyn responded a report can be requested from the Clerks of Court Operations Corporation (CCOC) that provides a breakdown of the county's timeliness. Laird further requested clarification on the pro se accounts in other states in regards to being for a Florida court proceedings Carolyn confirmed the statistics are for registered pro se accounts living in other states with a Florida court proceeding.

- b. Carolyn continued with the Portal service desk update. In January 2018, the service desk received 2,916 customer service incidents of which 2,450 were attorney incidents; 455 were self-represented litigant incidents; and 11 were judge incidents. On average it took 16 minutes to respond to a customer service incident and 51 minutes to resolve. A total of 311 technical/system support incidents were received during January 2018. On average it took 24 minutes to respond to a technical/support incident and 4 hours and 10 minutes to resolve an incident. Carolyn provided the top 10 types of incidents the service desk received from attorneys, self-represented litigants and judges. A couple of the initiatives the service desk is working on includes continue to clean up the pending filings and scheduling site visits.
- c. Carolyn discussed the Portal Change Advisory Board (CAB) recommendations. The enhancement requests are submitted by the FCTC, public, clerks, etc. and are evaluated to determine if beneficial to implement in the Portal. The CAB recommendations are presented to and approved by the E-filing Authority Board. The importance level that the CAB has assigned to the approved enhancement is implemented in future releases. Carolyn noted the enhancement of making the emergency filing check box more apparent to the filer is scheduled for the next Portal release.
- d. Carolyn discussed the Portal Release 2018.01 that will go into production on April 20, 2018 and provided the ticket submissions and descriptions of each modification. Laird inquired on the reason for the removal of the "number of pages" requirement. Carolyn replied it was a recurring request to remove. Carolyn added on March 2, 2018 a hot-fix will be implemented that will remove the dependence from Silverlight on the judicial and clerk review side from the Portal, and an option will be added to change preferences to html5. Virus scanning will also be added on documents submitted through the Portal. If malware is detected, it will immediately send the document to the correction queue with a notification back to the filer. In addition, a change to the e-service rule requires a case style to be included in the subject line on the e-service email that will be implemented as well.

AGENDA ITEM VII. CCIS 3.0 Update

Melvin Cox gave an update on CCIS 3.0. All 67 counties are providing case data to CCIS per Florida Statutes 28.24(12)(e). Of those 67, sixty-six counties have implemented the Docket web service that displays dockets/images in real time. Currently there are 48,562 active CCIS users; 167 agencies are using CCIS; 176,270 case searches have been executed; 395,238 person searches have been executed; and 741,138 document images requested through CCIS. Melvin provided a breakdown of court users in each circuit. The CCIS initiative provides for additional

analysis of the Access Security Matrix project to ensure all subtleties are considered as the statewide matrix is implemented. A business analytic grant was approved in October 2017 and anticipates completion in September 2018. The grant will allow the clerks to provide reporting to the CCOC and other entities. Paul Jones gave an update on the Data Quality Management (DQM) initiative. The metrics used to review the data include, *accuracy* – CCIS data matching the local CMS; *timeliness* – data in real time; *completeness* – all defined data elements from CMS in CCIS; and *consistency* – integrity of the data for long term sustainability. The DQM framework will specifically look at data and report quality; as well as the security of the data. The DQM has several initiatives that will focus on: working with subject matter experts to develop a long-term strategic plan; establishing support groups to analyze data and respond to data quality concerns; and establishing a data quality reporting and tracking system using the CCIS help desk. The DQM has contracted with a third-party vendor to expedite the DQM initiatives and provide a quality assessment and an implementation plan for policies, procedures, and best practices designed to sustain data quality. The DQM plan will be implemented in phases: *Phase 1* is to determine a strategy and develop a roadmap to manage CCIS data which was completed in February 2018. *Phase 2* is to conduct low level analysis of all data, address quality concerns, and develop a long-term plan with anticipation of being complete in May 2018. Laird questioned the confidence of the data quality progress. Paul replied at the next meeting, he will be able to present the progress of the data quality initiative with metrics. With the magnitude of this project, he agrees there will be data quality issues. Laird questioned OSCA staff involvement with the DQM. Paul confirmed OSCA is involved as well as, several CTO's in the workgroups. Laird inquired if the data the court system requires for management is being captured. Paul said yes but advised that is the next step in the analysis. Laird further inquired on when attorneys will be able to access CCIS 3.0. Melvin stated they are currently working on analyzing the Access Security Matrix, but could not give a timeline.

AGENDA ITEM VIII. Rules of Judicial Administration (RJA) Update

Judge Stephens provided the rules that have been recommended for an amendment and approved by the RJAC. *Rule 2.345* recognizes judicial signatures in electronic format to execute orders; *Rule 2.511* recognizes the centrality of the Portal in the trial court filing and service process which is modeled after AOSC13-7; *Rule 2.514* eliminates the fictitious 5-day when computing and extending time periods; *Rule 2.516* clarifies email service through the Portal is the normal method of service; *Rule 2.520* proposes documents be created electronically in PDF format when possible; and *Rule 2.525* defines filing as being submitted through the Portal. The RJA report is expected to be sent to the Supreme Court in 2018. Laird questioned filing on cases in Central Time zone and what time stamp is used. Judge Stephens verified the Eastern Time zone is utilized for all case filings. Jim Kowalski inquired on the discussions during the changing of rule 2.516 (d)(1) regarding who should serve the paper copy of the order. Judge Stephens stated due to the variations of how service is being done, it was deliberately not specified in the rule. Tom Hall stated the Rules of Criminal Procedure, passed a rule that will significantly reduce the amount of paper that comes into the courts. Tom added all the recommended rule changes with electronic substance will be submitted to the Supreme Court in a joint package.

AGENDA ITEM IX. Records Retention Motion

Murray discussed the records retention motion and understood the clerks concern in delaying the PDF/A initiative. David Ellspermann voiced concern from the clerks on moving forward with the second reading of this motion along with the Technical Standards motion regarding the two-year timeframe to implement the storage of PDF/A documents. Clerk Ellspermann explained clerk's resources are limited as the clerks are under a timeframe to implement Uniform Case Reporting (UCR); therefore, some clerks will not be able to meet the two-year timeframe to implement the PDF/A storage initiative. Mike Smith stated the motion is corresponding to several issues having to correlate before the motion can transpire.

Motion to table the Records Retention motion and Technical Standards subcommittee PDF/A motion to the May 2018 meeting.

MOTION OFFERED: David Ellspermann
MOTION SECONDED: Sharon Bock

After a break in the agenda for consideration of the Technical Standards subcommittee motions and clarification on the PDF/A initiative, Clerk Ellspermann withdrew his motion to table the motions to the next meeting. Murray continued with the consideration of the records retention motion for second reading.

Second reading: Motion to refer and recommend to the Florida Rules of Judicial Administration Committee consideration of amendments to the court records retention rule, Rule 2.430 to:

- **Clarify the retention schedule for electronic court records, which have been Permanently Recorded;**
- **Require that prospective court records that have been Permanently Recorded be retained in the format, PDF/A; and,**
- **Consider and include a data by which Permanently Recorded court records shall be maintained in the format, PDF/A.**

Additionally, recommend the creation of a Florida Courts Technology Standard that would provide guidance and technical information on the retention and storage of Permanently Recorded court records under amended rule 2.420.

MOTION OFFERED: Murray Silverstein
MOTION SECONDED: Thomas Genung
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM X. Case Maintenance Technical and Functional Standards Motion

Tom Genung discussed a motion regarding case maintenance standards that was approved on first reading at the FCTC's October 26, 2017 meeting and moved for second reading.

Second Reading: Motion that the clerks of court, in consultation with the Court, develop technical and functional standards for their case maintenance systems to assure that such systems meet the needs of the Clerks of the Court, the Bar, and other court partners.

MOTION OFFERED: Tom Genung

MOTION SECONDED: Josephine Gagliardi

Clerk Ellspermann referred to the August 2013 FCTC meeting summary where it was noted that Karen Rushing's committee did an extensive amount of work on the CMS standards and the standardized docket description materials were to be forwarded to the Technical Standards subcommittee to develop standards and functional requirements for the case management systems. At the October 2013 FCTC meeting, the standardized docket description materials were provided to the Commission and the Technical Standards subcommittee was tasked to work with Karen Rushing on reviewing the standards and report back at the next meeting. No further action afterwards could be determined. Clerk Ellspermann requested consideration of the previous standardized docket description materials if the Commission moves forward with the motion.

MOTION CARRIED UNANIMOUSLY

AGENDA ITEM XI. ACTC

Judge Northcutt discussed the eFACTS Change Advisory Board (CAB) project plan for calendar year 2018-2019. The main agenda is to have the eFACTS development completed by the end of 2019. Other highlights of the plan include transitioning to maintenance mode; unification of eFACTS and the iDCA/eDCA systems; and have all appellate systems transition to the statewide e-filing Portal to allow for a uniform case management system across the Supreme Court and all five DCAs. Judge Northcutt added the eDCA will be maintained for accessing the attorney/party web portal.

AGENDA ITEM XII. Criminal Case Initiation Workgroup (CCIS)

Judge Bidwill discussed the prospect of criminal case initiation through the Portal and the survey that was developed to evaluate the interest in implementing criminal case initiation. The workgroup evaluated the simplified method to perform criminal case initiation through the Portal or a more comprehensive process for criminal case initiation. Based on the survey, 12 counties currently have some form of electronic criminal case initiation for criminal filings. The counties were split regarding an interest in electronic criminal case initiation. Current established processes, funding, and reduction of efficiencies were among the concerns that were raised. The workgroup membership has been expanded to allow for a broad base of stakeholder input at the next workgroup meeting in May 2018. Judge Bidwill pointed out that Brevard County is utilizing the Portal for non-arrest criminal case initiation and has given positive feedback.

AGENDA ITEM XIII. Conversion of Filings to PDF/A Workgroup

- a. Judge Bidwill discussed the proposed PDF/A Change Order for Portal modification whereby the Portal Subcommittee approved the recommendation of accepting the Change Order.
- b. Judge Bidwill said the objective of this workgroup, was to establish a process for converting PDF/A documents received through the Portal. He pointed out approximately two-thirds of the documents received through the Portal are scanned in therefore, the conversion process must be achieved before there is universal submission of the PDF/A documents. The education process for the PDF/A filing requirement will be provided to the filers by training videos on the Portal. Judge Bidwill moved for second reading of the motion.

Motion to recommend the Portal, for those documents not filed as PDF/A, begin the process to ultimately convert received documents to PDF/A, understanding that the Portal will continue to provide the documents to each individual clerk in the format that the clerk can process. In support of this process, the Portal will educate the filers as to the requirement of filing documents in PDF/A format.

MOTION OFFERED: Judge Martin Bidwill

MOTION SECONDED: John Stewart

Clerk Ellspermann questioned when a PDF/A file is submitted, will the judge know that the metadata has been stripped. Mike replied the PDF/A documents have not been submitted through the clerk's systems and could not say at this point.

MOTION CARRIED UNANIMOUSLY

AGENDA ITEM XIV. Portal Subcommittee

This agenda item was combined in the previous Conversion of Filings to PDF/A Workgroup discussion.

AGENDA ITEM XV. Operational Procedure Review Workgroup

Judge Gagliardi discussed the proposed draft of the Operational Procedures and moved for first reading.

First reading: Motion to the FCTC recommending approval of the proposed Operational Procedures.

MOTION PASSED WITHOUT OBJECTION

AGENDA ITEM XVI. Access Governance Board

- a. Judge Hilliard briefly discussed Brevard County's online electronic records certification request.

Motion for the FCTC to make a recommendation to the Supreme Court that Brevard County move its online electronic records access system from the pilot phase into

production and to discontinue the submission of monthly progress reports be approved. Within 90 days from the Court's approval, the clerk must implement their access system in accordance with AOSC17-47.

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Laird Lile

MOTION CARRIED UNANIMOUSLY

- b. Judge Hilliard discussed the modifications to the Access Security Matrix and offered three motions to be voted on simultaneously for approval with a waiver of second reading.
- **Motion to accept the proposed changes to the *Standards for Access to Electronic Court Records* as amended at the Access Governance Board's February 8, 2018 meeting.**
 - **Remove the following sentence from the Redaction section: "The default view for judges is the non-redacted version of the record."**
 - **Update the following sentence in the Performance section: "Search capability, if available, will be limited to such requested document and must not support automated bulk searches-requests."**
 - **Motion to modify the Access Security Matrix to include updating the User Roles to align with the User Roles identified in the *Standards for Access to Electronic Court Records*; adding Professional Guardian to the Guardianship Miscellaneous cases type; adding Mental Health Miscellaneous to the Baker Act case type; deleting Emergency Admission from the Substance Abuse case type and adding Assessment/Treatment; adding Tuberculosis/STD Treatment/Other Confidential case type, all with appropriate rules and statutes; and removing Substance Abuse cases filed pre 10-1-2010 disabled case type from the matrix.**
 - **Motion to request the FCTC expedite the approval of the changes to the *Standards for Access to Electronic Court Records* and the Access Security Matrix and forego the need for a second reading.**

Laird clarified the motions are for expanding access and applying solutions for compliancy.

MOTIONS PASSED WITHOUT OBJECTION

AGENDA ITEM XVII. Technical Standards Subcommittee

- a. Chris Blakeslee discussed the backup of electronic records language that was originally presented to the Commission in August 2017. Since then, discussions commenced with Gartner Inc. to ensure best practices on electronic record substitutions. Two changes were made since the August meeting on encryption and the production copy. Alan explained Gartner identified two focal points. First focal point, backup data that is hosted outside the maintained facility, should be encrypted. The custodian of the electronic court record should have exclusive access to the encryption key to avoid any data mining. Second focal

point, is recognizing data that is backed up in a maintained facility, is not as secure as data backed up in multiple geographic disparate facilities. Therefore, having backup data housed in a separate facility from the production copy warranted modification of the language. Alan added the clerks were involved in the discussions to ensure protection of the court records could be attained. Chris moved to accept the language as first reading.

First reading: Motion to the FCTC recommending approval of the Backup of Electronic Records language.

MOTION PASSED WITH NO OBJECTION

- b. Mike Smith discussed the PDF/A initiative and the consolidated effort with the Clerks, CTO's and other subject matter experts on a compromise to move the initiative forward. One of the concerns were with digital signatures and electronic notarization. This technology utilizes public key infrastructure (PKI) that cannot be stored correctly in the clerks CMS systems. Another concern is redacting PDF/A documents currently within the CMS systems. Mike pointed out the PDF/A initiative is a multi-step, multi-organization effort to achieve final resolution of storing PDF/A documents. Over half of the counties in Florida utilizing the CMS system, Clericus, has developed a newer version that will be available in 2018 which can store PDF/A documents. Another CMS system, Odyssey, has purchased a PDF/A module and anticipates implementation in 2018 as well. With the clerk's initiatives already beginning, the subcommittee felt the two-year timeframe to implement is within reason. In addition, an extension can be requested to the Supreme Court much like the e-filing initiative was done. Mike presented three motions from the Technical Standards subcommittee for consideration.

First Reading: Motion to recommend that the court work with the clerks and FCCC so the record copy will be a PDF/A document which will retain the original intelligence. The redacted copy will not be required to maintain the original intelligence. The clerks will need to follow acceptable ADA requirements with on demand redacted documents.

MOTION OFFERED: Mike Smith

MOTION SECONDED: Christina Blakeslee

Clerk Ellspermann questioned the redaction process for PDF/A documents and the concern that redaction can be stripped away. Mike replied a secondary redacted copy can be provided in whatever format that the clerks can redact in. Carol LoCicero voiced concern that the PDF/A conversion process may impact the public receiving documents in a timely manner. She suggested the system require more responsibility on the filer. Mike agreed that the filer should take responsibility on applying the confidentiality rules when submitting documents and the Security Access Matrix governs what is required to be redacted. Discussion ensued on redaction and Jim noted clerk immunity needs to be discussed again so the responsibility does not remain with the clerks. Mike explained currently, the PDF/A document is submitted through the Portal as it was created and gets

transmitted to the clerk for storage. When a request is made to access that document where redaction is required, the clerk can convert the document into a TIFF to redact the confidential information. Jim stated it is then anticipated within the two-year timeframe that the redacted copy be a PDF. Mike confirmed that is one of the goals to accomplish. Clerk Ellspermann was comfortable with applying the redaction to the TIFF document and acknowledges requiring two storage systems. Mike added during testing, there were times when the PDF was smaller than the TIFF for archival storage concerns.

MOTION CARRIED UNANIMOUSLY

First Reading: Motion to recommend that the clerks are allowed to do a phased-in implementation of storing documents in PDF/A format. The clerks must complete the implementation in two years from when the Supreme Court approves the storage-related issues on a second reading. An extension request and approval can be granted for good cause shown with appropriate documentation to the Supreme Court. Clerks that have the capability to begin implementing PDF/A can move forward.

MOTION OFFERED: Mike Smith

MOTION SECONDED: Christina Blakeslee

Clerk Ellspermann discussed the strains of resources for the clerks with the UCR project and out of respect for the Court, requested definition of the waiver process. Justice Ricky Polston referred to the past e-filing initiative where waivers were granted when a clerk demonstrated the willingness to move forward in achieving the goal. He expressed the Court would make a good faith effort but could not guarantee a waiver. Clerk Ellspermann raised the concern of funding and prioritizing the initiatives in a timely manner to meet the needs of the Court. He was comfortable with the clarification to move forward. Clerk Ellspermann then requested clarification on the phased-in approach and when the two-year implementation would begin. Mike replied the subcommittee was mindful the clerks would have different timeframes to implement. Tom Hall commented on previous discussions where the PDF/A initiative would be prospective only and is not covered in the motion. Chris replied the date forward was approved in the Document Storage Workgroup's final report to the FCTC. Tom stated the Supreme Court would be approving the extensions and does not require defining in the motion. John Stewart stated the FCTC can recognize that there will be requests for extensions. Ms. LoCicero stated the goal should be for the clerks to only have the responsibility of maintaining the document as filed. Murray referred to the proposed technical standard in consideration of the motion.

After further discussion and a break for wordsmithing, Mike offered a new motion from the subcommittee.

First reading: Motion to recommend a two-year timeframe for county clerks to implement PDF/A storage of court documents after Supreme Court approval. Clerks may request an extension for good cause to the Supreme Court.

MOTION OFFERED: Mike Smith
MOTION SECONDED: Judge Scott Stephens

Clerk Ellspermann requested the approval of the technical standards be included in the motion. John inquired on the inclusion of appellate clerks. Mike and Judge Stephens agreed with the amendments to include “technical standards” and remove “county” in the motion language.

First reading: Amended motion to recommend a two-year timeframe for clerks to implement PDF/A storage of court documents after the Supreme Court approval of technical standards. Clerks may request an extension for good cause to the Supreme Court.

Alan pointed out the appellate systems store documents in a file server with database links and therefore can store any file format.

MOTION CARRIED UNANIMOUSLY

First reading: Motion to recommend that digital signatures and electronic notarization (or anything with a digital hash) are not required. However, if they are included in the PDF, the signatures will be flattened. The technology to maintain those processes will not be required.

MOTION OFFERED: Mike Smith
MOTION SECONDED: Christina Blakeslee
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM XVIII. Other Items/Wrap Up

Judge Hilliard requested other items for consideration and noted the next meeting is scheduled for May 10-11, 2018 in Orlando.

Motion to adjourn the FCTC meeting

MOTION OFFERED: Judge Josephine Gagliardi
MOTION SECONDED: Laird Lile
MOTION CARRIED UNANIMOUSLY