

Florida Courts Technology Commission Meeting Summary

November 18, 2016

A meeting of the Florida Courts Technology Commission was held at the Mission Inn Resort in Howey-in-the-Hills, Florida on November 18, 2016. The meeting convened at 9:00 A.M., Chair Judge Lisa T. Munyon presiding.

Members of the Commission in attendance

Judge Lisa T. Munyon, Chair, 9th Circuit
Judge Martin Bidwill, 17th Circuit
Judge Josephine Gagliardi, Lee County
Judge Terence Perkins, 7th Circuit
Jim Kowalski, Jr., Esq., Jacksonville Area Legal Aid
Thomas Genung, Trial Court Administrator, 19th Circuit
David Ellspermann, Clerk of Court, Marion County
Sandra Lonergan, Trial Court Administrator, 11th Circuit
Ken Nelson, CTO, 6th Circuit
Sharon Bock, Clerk of Court, Palm Beach County

Judge Stevan Northcutt, 2nd DCA
Judge Robert Hilliard, Santa Rosa County
Judge Ronald Ficarrota, 13th Circuit
Judge C. Alan Lawson, 5th DCA
Laird Lile, Esq., Naples
Christina Blakeslee, CTO, 13th Circuit
John M. Stewart, Esq., Vero Beach
Jannet Lewis, CTO, 10th Circuit
Elisa Miller, Akerman LLP
Tanya Jackson, Adam Street Advocates

Members not in attendance

Matt Benefiel, Trial Court Administrator, 9th Circuit
Karen Rushing, Clerk of Court, Sarasota County
Murray Silverstein, Esq., Tampa

Mary Cay Blanks, Clerk of Court, 3rd DCA
Judge Scott Stephens, 13th Circuit

Supreme Court Justice in attendance

Justice Ricky Polston, Supreme Court

OSCA and Supreme Court Staff in attendance

PK Jameson
Roosevelt Sawyer, Jr.
Lakisha Hall

John Tomasino, Clerk of the Supreme Court
Alan Neubauer
Jeannine Moore

Other Attendees

Dennis Menendez, CIO, 12th Circuit
Craig McLean, CIO, 20th Circuit
Steve Shaw, CTO, 19th Circuit
Terry Rodgers, CTO, 5th Circuit
Mike Smith, CTO, 4th Circuit
Gerald Land, CTO, 16th Circuit
Isaac Shuler, CTO, 2nd Circuit

Noel Chessman, CTO, 15th Circuit
Robert Adelardi, CTO, 11th Circuit
Fred Buhl, CTO, 8th Circuit
Yvan Llanes, CTO, 18th Circuit
Craig Van Brussel, CTO, 1st Circuit
Jim Weaver, 6th Circuit
Paul Silverman, TCA, 8th Circuit

Jon Lin, TCA, 5th Circuit
Melvin Cox, Director of Information Technology,
Florida Court Clerks and Comptrollers
Carolyn Weber, Florida Court Clerks and Comptrollers
Jeff Taylor, Manatee County Clerk of Court
Brent Holladay, Lake County Clerk of Court
Doug Bakke, Hillsborough County Clerk of Court
Harold Sample, Pasco County Clerk of Court
Alan Hibdon, Pinellas County Clerk of Court
Repps Galusha, Orange County Clerk of Court
Tony Landry, Volusia County Clerk of Court
Kimberly Stenger, Polk County Clerk of Court
Justin Ebright, Pioneer Technology Group
Doris Maitland, Lee County Clerk of Court
Mendi Patterson, Brevard County Clerk of Court
David Winiecki, Sarasota County Clerk of Court
Laurie Reaves, Miami-Dade County Clerk of Court
Nicole Fingerhut, Palm Beach County Clerk of Court
Paul Jones, Palm Beach County Clerk of Court

Judge Lawrence Semento, Lake County
Tom Hall, Florida Court Clerks and Comptrollers
Laurie Rice, Brevard County Clerk of Court
Justin Horan, Clay County Clerk of Court
Mike Phelps, Polk County Clerk of Court
Gerald Cates, Duval County Clerk of Court
Gary Blankenship, Florida Bar News
Tyler Winik, Brevard County Clerk of
Court
Carole Pettijohn, Manatee County Clerk
Court
Mark Caramanica, Thomas & LoCicero
Brian Gallagher, Thomson Reuters
Mary Lynn Sullivan, Tyler Technology
Frances Cox, Vista Solutions Group
Scott Curran, Vista Solutions Group
Jeffrey Laing, Pioneer Technology Group
Brian Murphy, Mentis Technology Solutions
Thomas Morris, State Attorney 8th Circuit

AGENDA ITEM I. Welcome

Judge Munyon welcomed the commission members and other participants to the meeting. She thanked Lake County Administrative Judge Lawrence Semento for his hospitality in hosting the FCTC meeting in his circuit. Judge Semento greeted the members with a warm welcome and recognized the following dignitaries: Senator Dennis Baxley; Representative Larry Metz; Clerk Neil Kelly; Senior Chief Deputy Clerk Gary Cooney; and Justice Ricky Polston. Judge Semento briefly highlighted a couple of the technologies being used in the Fifth Judicial Circuit.

Judge Munyon called the meeting to order and advised everyone that the meeting was being recorded. She announced that Clerk Mary Cay Blanks tendered her resignation from the Commission. Clerk Blanks was a vital member of the FCTC for a long time. Pursuant to Florida Rules of Judicial Administration 2.236, Clerk Blanks will be replaced with another clerk from the District Courts of Appeal.

AGENDA ITEM II. Approval of August Minutes

Motion to approve the minutes from the August 18, 2016 meeting of the Florida Courts Technology Commission.

MOTION OFFERED: Laird Lile

MOTION SECONDED: Judge C. Alan Lawson

MOTION CARRIED UNANIMOUSLY

AGENDA ITEM III. Approval of FCTC Action Summary

Motion to approve the Florida Courts Technology Commission's action summary from the August 18, 2016 meeting.

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Laird Lile

MOTION CARRIED UNANIMOUSLY

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

Alan Neubauer gave an update on the progress of the implementation of the CAPS viewers. Fifty-eight counties have implemented their viewer in both the civil and criminal divisions; six counties anticipate implementing a CAPS viewer by the end of 2017; and three counties do not have an anticipated implementation date for either the civil or criminal divisions. In the past, Judge Munyon stated a county has not fully implemented a CAPS viewer until a judge can electronically sign and file orders through the Portal. To date, thirty-eight counties have the capability to electronically sign and file orders through their CAPS viewer; twenty counties do not have the capability; four counties have partial capability; and five counties anticipate deployment dates to further judicial functionality in their CAPS viewer. Different counties have different components that are fully implemented. The *CAPS Viewer Functionality Matrix* lists counties that have the capability to receive orders via the Portal. There are some systems in place that were receiving orders natively through their internal systems prior to the Portal having the capability to receive orders. Judge Munyon said Orange County can electronically file orders through the CAPS viewer, but cannot receive proposed orders. She also stated Osceola County is working on having the functionality.

AGENDA ITEM V. Portal Progress Report

a. Carolyn Weber discussed the Portal usage statistics. In the month of October, there were 1,145,237 filings through the Portal, of which 1,140,590 were submissions to the trial courts; 663 were submissions to the Department of Corrections (DOC); 2,872 were submissions to the Second District Court of Appeal; and 1,112 were submissions to the Florida Supreme Court. Judges in Escambia, Santa Rosa, Okaloosa, Bay, Jackson, Leon, Wakulla, Jefferson, Brevard, and Lee counties are receiving proposed orders electronically through the Portal. All judges in Santa Rosa County are receiving proposed orders electronically through the Portal in all divisions. The filer can correct and resubmit the document, keeping the original file date and time stamp, or submit a new document generating a new file date and time stamp. Roughly, 51% of filings were returned to the correction queue and resubmitted by the filer, while 49% of filers created a new submission or abandoned the filing. The number of self-represented litigants continue to increase. Presently, there are a little over 50,000 registered self-represented litigants. Carolyn went on to provide an update on submitting proposed orders. Counties are submitting proposed orders to the Portal via their CAPS viewer and from the CAPS viewer to their CMS. There are also some counties that have viewers in place but are not filing through the Portal. Close to 27,000 submissions have been e-filed through the CAPS viewers. Over 22,000 judicial single session filings have occurred through the Portal. The FCCC is currently working on the following projects: criminal e-filing is pending implementation in Pasco County; working with

third party vendors for system-to-system e-filing; a new release is scheduled for April 2017; converting the District Courts of Appeal to eFACTS; assisting DOC with submitting proposed violation of probation (VOP) warrants to the judges and sending commitment packages through the Portal; adding A2J interviews to the Portal to assist self-represented litigants; and providing technical support and training to the judiciary regarding proposed orders.

b. Carolyn Weber gave an update on the Portal service desk. The service desk takes calls regarding customer service incidents along with technical and system support incidents. Customer service incidents decreased from September. Roughly 2,385 customer service incidents were received during October 2016. On average it took 18 minutes to respond to an incident and 52 minutes to resolve an incident. While the total number of customer service incidents decreased for attorneys and pro se litigants, judge incidents increased. This was because Trial Court Administrators added judges to the Portal with their e-service email address which generated activation concerns. A total of 323 technical/system support incidents were received during October 2016. On average it took 15 minutes to respond to an incident and 2 hours and 45 minutes to resolve an incident. Carolyn showed the top 10 types of incidents the service desk received from attorneys, judges, and pro se filers. She noted a correction for judges. It should state pending activation as opposed to password reset.

c. The October Portal Release 2016.02 update was delayed and did not go out until November 11, 2016. The FCCC is continuing to test this release.

d. Carolyn Weber briefly discussed the enhancements for the Portal Release 2017.01 scheduled for April 17, 2017. Most of the enhancements in this release deals with the backend of the Portal. The FCCC will do fee restructuring, and work 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. Chris Blakeslee questioned how to tell which judges have not activated their account. Carolyn replied circuit administrators have access to the list of users and can see which judges have a pending activation status.

AGENDA ITEM VI. Third Party Batch Filing Update

Carolyn Weber said the FCCC is continuing to move forward with third party batch filing. They received applications from 12 third party vendors whom they meet with on a weekly basis. More vendors are ready to do testing in the quality assurance (QA) environment. End-to-end testing will be done to ensure the FCCC receives the data needed and the vendor receives the statuses they need. They will test against all of the various CMS' in the county and then the certification process will take place. The process is slow, but the FCCC is moving forward.

AGENDA ITEM VII. Appellate Portal Interface Update

John Tomasino gave a brief update on the progress of the appellate portal interface. The Information Systems Services staff at OSCA anticipates bringing the DCAs onto the statewide e-filing Portal in the second half of 2018. There are a couple of dependencies that have to be met to facilitate this transition: a workaround to the Portal's current file size limitations, and the development of a web portal that allows attorneys and parties to view their cases and filings after signing in with their statewide e-filing Portal credentials.

AGENDA ITEM VIII. Portal Subcommittee Update

- a. Judge Bidwill reported that the Portal is in a position to move forward with criminal case initiation. He is trying to schedule a meeting in January to start examining the process. The e-filing of search warrants will be discussed as well. Judge Munyon asked if representatives from the state attorney and public defenders would be participating in the discussions for criminal case initiation. Judge Bidwill said they will have representation and so will law enforcement. Judge Munyon suggested reaching out to the Florida Sheriffs Association.
- b. Judge Bidwill said an attorney made an inquiry on the Portal providing the option for an attorney to opt out of service and remove themselves from the Portal absent an order allowing them to withdraw as counsel, a stipulation and order for substitution of counsel, or an order dismissing them or their clients. The subcommittee concluded this was not a Portal issue, but possibly a rule issue. The subcommittee will gather the materials that may speak to this issue in terms of rules and standards and have a more extensive examination of the protocol on the Portal. The subcommittee will review the materials at its February 2017 meeting.

AGENDA ITEM IX. A2J Survey Presentation

Jim Kowalski gave a PowerPoint presentation on Access to Justice (A2J). He gave background information on the [Florida Commission on Access to Civil Justice](#) and discussed a couple of the Commission's accomplishments. An A2J [Knowledge Base](#) was developed. This is an extensive searchable knowledge base which contains information regarding available local, statewide, and national resources; reports issued by other state commissions; documentation of access to justice efforts that are occurring around the world; and reports prepared by Florida's Commission and its subcommittees. The statewide Gateway pilot project in Clay County was designed to be a digital access point that provide resources to individuals wishing to file cases for simple dissolution of marriage or evictions. Sophisticated algorithms are used to connect users to the solution provider most appropriate to his/her specific location, need and capacity from among a broad array of existing services provided by the courts, the private bar, legal aid entities, pro bono attorneys, law school clinics, libraries, and others. The [Access to Civil Justice Self-Represented Litigants Survey](#) was developed to receive information from Floridians concerning their experience when accessing the civil court and self-help services in each of Florida's sixty-seven counties. The survey contained thirty-six questions. Approximately 86% of the survey responders had some level of college education. Jim said the assumption that self-represented litigants are at a high school education level or lower is not true based on the percentage. The survey also showed the level of frustration was low. The survey is available on several websites, e.g., [Florida Courts](#), [Florida Law Help](#), and the [Florida Bar](#). Judge Munyon inquired if the survey was still available and how long it will last. Jim said the survey is still in progress and he is not sure how long the survey will last. Justice Polston said the survey demographics regarding college educated individuals seems to indicate a vast number of individuals do not qualify for pro bono because of income, yet they still cannot afford an attorney. Jim said the survey asked respondents if they would be interested in a flat fee and 57% answered yes. The flat fee would depend on the area assistance was needed. Tom Hall said the percentage of survey respondents may be skewed because the length of the survey. College educated individuals are more apt to complete the long survey as opposed to less educated individuals. Jim said that might be accurate because the Commission made the initial entry to the survey hard enough that you have to have at least some education to go through the process. Clerk

Bock asked if Jim could provide the actual number of people who took the survey. Jim responded he had some basic information that is broken down by counties, but he was unsure if the results included the total population number. Judge Munyon asked if there was a breakdown on the number of people taking the survey as opposed to the number of people logging onto the site. Jim said he does not think they captured that number. In Clay County, they are trying to capture the number of people who begin the process and are frustrated versus the number of people who actually complete the process and file the form. Laird Lile said the Commission should think about doing a short survey that asks three or four demographical questions and then give the respondent the option to complete the longer survey. Tom Genung asked if Jim knew how far along the Commission was in the development of the different A2J forms. Jim said that is a different process. The Commission was given permission to use the Do it Yourself (DIY) Family Law forms in the Clay County pilot. Those pilot results would be sent back to DIY so they can incorporate them into their forms builder.

AGENDA ITEM X. CCIS 3.0 Update

Melvin Cox gave an update on CCIS 3.0. CCIS is an existing system that is fully integrated with the Portal and Judicial Inquiry System (JIS). CCIS contains all court case types in the 67 clerks' offices; a number of data elements including individual name demographic information, case/charge information, progress dockets, and document images, to name a few; 134 million searchable cases and 395 million names. The users are restricted to governmental agencies from the federal, state, and local levels. There are over 32,000 active users. Each user is assigned a security level which complies with access to court records as defined in Florida Statutes. Melvin discussed the "power user" agencies which includes DCF, DOC, the circuit and district courts, and state attorneys. Currently 51 counties have fully implemented CCIS 3.0. The FCCC is on track to have all counties upgraded by the end of 2016. Melvin showed a screenshot of what the statewide person search and case search interface look like. Judge Munyon asked how often the clerks are pushing data to CCIS 3.0. Melvin said when the data is changed in the CMS it is pushed to CCIS instantaneous. Laird Lile asked when CCIS will be accessible for attorneys. Melvin said the FCCC is going to add the security roles for nongovernmental agencies in 2017. Melvin thanked Judge Munyon for putting together the Data Exchange Workgroup which helped immensely in moving forward with the CCIS 3.0 project by developing the data exchanges.

AGENDA ITEM XI. CCIS Subcommittee Update

Judge Perkins gave an update on the work of the CCIS Subcommittee. He said CCIS 3.0 is close to being implemented across all counties in Florida. At the previous FCTC meeting, the subcommittee discussed what information was available in CCIS 3.0 that could be used to automate the task of identifying related parties in cases. The workgroup disseminated a survey to the clerks to determine what information was being captured. The workgroup developed a way to search the information. Melvin Cox gave a brief demonstration on how a task could be automated to find related parties and cases. He discussed different possibilities of connecting the data throughout the state. He showed how querying a name across the state will display results for all names. The data can be filtered by date of birth or social security number to connect the cases together. Other demographic information can be used as well. Melvin stated the data is there; however, the

business rules need to be developed so the data can be displayed in a format that is beneficial to the judiciary. Theoretically, a “related cases” button could be added to a system that makes a call to CCIS and displays the related cases. A prototype will be developed. Judge Perkins said CCIS is being used because it is a statewide database where related parties and related cases can be searched in every context regardless of the division. There is going to be two primary users. The first user is the clerk or case manager because they have to develop related cases. The second user is the judiciary. The information needs to be displayed in a way that is useful to the court system. The best way to display the information is through the CAPS viewer. This will require the subcommittee to work with the vendors so they can interface with their systems. At some point a person will have to decide if the parties are related. The burden should not just rest on the software that is developed. Jannet Lewis asked if a standardized data exchange should be used so that all vendors can write to one standard. Judge Perkins said the certification subcommittee will discuss that. In addition, he is hopeful that once the search information is available the related parties or cases can be drilled down by divisions. Tom Hall asked if the DCAs and Supreme Court data was available in CCIS. Melvin said no. Tom said it would be great for appellate attorneys to have that information available once CCIS is offered to nongovernmental agencies.

AGENDA ITEM XII. Abandoned Filings Workgroup Update

Judge Gagliardi said the workgroup developed a proposed standard list of reasons for clerks to use when something is placed in the abandoned filing queue. This list will be hardcoded in the e-filing process for use by all clerks. The workgroup will solicit feedback on the proposed list and will also use the appellate court list to revise their proposed list. The workgroup will develop a standard for use of correction. Judge Munyon asked currently when a clerk puts something in the review queue is there a reason attached to why the clerk did not file the document(s), or is the filing just left in the queue for the attorney to figure it out. If so, is this what the workgroup is trying to change? Carolyn Weber said the filing goes back to the filer and the filer is informed of the deficiency in an email. In addition, when the filer goes back into the filing a notification is at the top of the screen.

Motion to approve the following proposed standard list of reasons for filings to be placed in the correction queue: incorrect or missing case number or case style; combine individual pages in single document; wrong county; proposed/unsigned order or correspondence to court; document illegible/corrupt/blank; and other with free form text box.

MOTION OFFERED: Laird Lile

MOTION SECONDED: Judge C. Alan Lawson

MOTION CARRIED UNANIMOUSLY

AGENDA ITEM XIII. Access Governance Board Update

a. Judge Hilliard briefly discussed the requests from two counties to move their online electronic records access system from the pilot phase into production.

Motion for the FCTC to make a recommendation to the Supreme Court that Hillsborough and St. Lucie counties move their 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 AOSC16-14.

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Judge Ronald Ficarrotta

MOTION CARRIED UNANIMIOUSLY

b. Judge Hilliard said the Board received requests from the State Attorney's Office in the Twelfth Judicial Circuit and the DOC. He requested permission to defer voting on the State Attorney's request. The Board will meet in the interim to further discuss this issue.

Motion to table the issue of updating the Access Security Matrix based on the proposed amendments received from the State Attorney's Office in the Twelfth Judicial Circuit until the Board can further review the request.

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Ken Nelson

MOTION CARRIED UNANIMIOUSLY

Judge Hilliard said the DOC wanted the Board to specifically designate DOC as law enforcement in the Law Enforcement user group in the *Standards for Access to Electronic Court Records*.

Motion to change the definition of certified law enforcement in the *Standards for Access to Electronic Court Records* to read, "Certified law enforcement officers of Federal law enforcement agencies and all Florida law enforcement agencies, including but not limited to, Florida state attorney's offices, the Florida Attorney General's office, and Florida Department of Corrections, and their authorized users."

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Ken Nelson

Paul Regensdorf said he is concerned with the phrase "and their authorized users". This basically gives law enforcement staff the same access as a certified law enforcement officer without oversight. He is troubled with granting this type of access without any limitation or protection by the Supreme Court or the FCTC. He would feel more comfortable if "pursuant to a plan of authorization approved by the Supreme Court" was added. Judge Hilliard said the Board discussed the role of the gatekeeper and their responsibilities in terms of safeguarding users and procedures within their particular organization. The Board is planning to develop standards for gatekeepers. Judge Munyon said the Board also addressed the necessity for standardizing all of the gatekeeper agreements; having some gatekeeper training so they can understand the vital importance of their role; and auditing the gatekeeper function on a regular basis. Sandra Lonergan said in her experience, the gatekeepers change quite often and they do not read the agreements. She would feel more comfortable if there was some oversight from the Board. Judge Hilliard said at the Board's meeting on November 17, 2016, the Board discussed how

beneficial it would be to promulgate this information to the stakeholders and there was unanimous consent that this would be a good idea. Judge Munyon suggested requiring gatekeepers to also be Criminal Justice Information Services (CJIS) certified. Anyone who is CJIS certified is familiar with the confidentiality training. Chris Blakeslee said most non-law enforcement individuals would not take a CJIS certification. The individual would not need CJIS certification if they do not have access to Florida Crime Information Center (FCIC) or National Crime Information Center (NCIC) information. Tyler Winik from Brevard County Clerk of Court said most counties in Florida are not on a CJIS system. If this was a requirement for the gatekeepers, it would also have to be a requirement for the clerk's offices because most clerk staff would not know what CJIS certification means and would not know what type of access the individual would be allowed to have unless the access mirrored the gatekeeper they currently issue.

MOTION CARRIED

AGENDA ITEM XIV. Document Storage Workgroup Update

Steve Shaw said the Document Storage Workgroup was created in the first quarter of 2015. Members include a judge, a clerk, attorneys, and court and clerk technology directors. The primary objective of the workgroup was to determine a proper document storage format for long-term storage. The workgroup wanted to move past the storage of TIFF documents which is essentially pictures of pages. TIFFs are typically converted back to text. A lot of the CAPS viewers and different applications use TIFF documents. The workgroup discussed, researched, and spoke to different entities including county, state, and federal governments to determine what would be the best storage format. In early 2016, the workgroup recommended and the FCTC approved PDF/A-2 as the document storage format. The secondary objective was to determine the total cost and develop an implementation schedule to move forward. This objective was more complex than initially thought. The workgroup wanted to know what type of impact PDF/A-2 would have on the applications that are currently being used. The applications work well with TIFFs and there would have to be some modifications to work with PDF/A-2. The workgroup developed and distributed a questionnaire to the clerk's offices, and in turn, the clerk's distributed the survey to their CMS vendors to determine the cost. The vendors had a lot of questions. Saving a document to PDF is simple, but actually using a PDF is more complicated. The workgroup developed four categories of workflows that they thought would be affected the most: document creation; document filing; document storage; and document delivery. Steve briefly discussed an *Electronic Document Maturity Model* that lists all of the categories and rough timeframes to achieve maturity. Legacy is where we are now and the hope is to get to total maturity. In a legacy system, a person submits a document through the Portal in Word or PDF and the document is converted as it goes through the workflow process and is stored in the clerk's CMS as a TIFF. The intelligence of the document (e.g., bookmarks) is lost during the conversion. In the mature model, the document is prepared, stored, and delivered intelligently. In early January, several workgroups and subcommittees will get together and discuss the Document Storage Workgroup's work product. Jannet Lewis will participate and represent the FCTC. Document creation will be distributed to the Standards Consolidation Workgroup, the RJA, the Appellate Court Rules Committee, and the Florida Bar; Document filing will be distributed to the Portal Subcommittee and the E-Filing Authority Board; Document Storage will be distributed to the Clerks; and Document delivery will be distributed to the Certification Subcommittee. After these workgroups review the work product they can make a recommendation to the FCTC for approval. Steve went on to discuss a partial list of implementation concerns: attorneys cannot scan documents; costs for redaction; e-

Notary; digital signatures; managing PDFs in the CAPS viewers and signing orders; retention of records; and ADA. Judge Lawson asked how the size of PDF/A-2 documents compared to other PDF documents. Steve said it depends on how the document is created. A document that is created in Word and saved as a PDF is exponentially smaller than a document that is printed and scanned. Justice Polston inquired about e-Notary. Mike Smith said Duval County has been testing e-Notary on domestic violence injunctions. Technically an electronic notary is the same as a digital signature. A document is locked down once a checksum or token is applied to a PDF. A lot of the issues the workgroup uncovered came from locking down the document. The workgroup hopes an image of a notary stamp can be used in the same facet as an image of a judge's signature when applied to a document. Justice Polston asked if e-Notary was recognized in Florida statutes or rules. Mike answered §117.021, F.S. refers to the Florida Department of State rule. Judge Munyon said the Department of State has rules and regulations for the creation of digital notary tokens, but do not have standards for the storage of the image once it gets to its ultimate location. Steve said the workgroup prefers not to recommend storing the tokens. Adobe Acrobat makes a product that allows the insertion of a digital signature which is not an image, instead, it is a string of code that is transparent. There is a visible notary stamp on paper documents. The workgroup is trying to provide that same stamp in an electronic format without storing all of the electronic intelligence that goes along with the document. Steve said the recommendations were very complicated and reiterated his desire to get other workgroups involved to make sure the Document Storage Workgroup was headed down the right path. Judge Munyon thanked Steve and the workgroup for their herculean effort in coalescing the difficult topics so the courts can forge ahead. Amy Borman, General Counsel for the Fifteenth Judicial Circuit said if a document is signed with wet ink, the document still has to be scanned even if a digital signature is imposed. Steve asked if there was a way to insert the image into the electronic document. She said in the Fifteenth Judicial Circuit, the chief judge is certifying process servers. Amy is having an issue with process server companies attaching their signatures. She said §48.21(1), F.S. only allows deputy sheriffs to use electronic signatures and not certified process servers. Laird Lile said there may be some legislative changes regarding electronic notarization. Mike said in Duval County the litigants use a digital signing pad in front of a notary, but the court does not apply their signature to anything. Their wet signature is grabbed in digital format and the notary affixes his/her signature onto the document. Amy said a process server used his finger on his phone to sign a document. She said that was still an electronic signature that was not permitted by statute. She wanted clarification if a signature that is affixed via a signature pad is equivalent to a real signature. Mike said he thought the RJA had a rule regarding digital signage that included everyone except clerks. Amy said that is the rule on return of service. Mike said he will look into the issue and get back with Amy.

AGENDA ITEM XV. FCTC/RJA Joint Workgroup Update

Amy Borman gave a brief update in the absence of Judge Stephens and Murray Silverstein. The workgroup is working on taking the rules out of the standards and the standards out of the rules. The workgroup is looking at Rules 2.515 Signature and Certificates of Attorneys and Parties, 2.516 Service of Pleadings and Documents, and 2.525 Electronic Filing, 2.520 Documents, and 2.430 Retention of Court Records. All of these rules impact electronic filing and service. Her goal is to have the changes submitted to the Supreme Court by the end of the Florida Bar year. The workgroup is looking at moving all of the definitions into Rule 2.120 Definitions. They are creating two new rules. Rule 2.511 will define the Portal and Rule 2.415 will be a standards rule and refer everyone to the website for links to appropriate standards.

AGENDA ITEM XVI. Other Items/Wrap Up

Judge Munyon said there is a lot of public interest in the FCTC meetings; therefore, she would like for the agenda and materials to be available for review well before the meeting begin. She imposed a deadline to submit materials to Lakisha Hall and Jeannine Moore at least three weeks prior to the next scheduled FCTC meeting to allow sufficient time to assemble, vet, and post materials.

Tom Hall expressed gratitude to Jeannine Moore for her work in organizing the meeting at the Mission Inn Resort.

Judge Munyon advised everyone the next FCTC meeting is scheduled for February 1-2, 2017 in Orlando.

Motion to adjourn the FCTC meeting

MOTION OFFERED: Laird Lile

MOTION SECOND: Judge Alan Lawson

MOTION CARRIED UNANMIOUSLY