

# Florida Courts Technology Commission Meeting

## August 18, 2016

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A meeting of the Florida Courts Technology Commission was held at the West Palm Beach Hilton Hotel in West Palm Beach, Florida on August 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, 9<sup>th</sup> Circuit  
Judge Ronald Ficarrota, 13<sup>th</sup> Circuit  
Judge Terence Perkins, 7<sup>th</sup> Circuit  
Laird Lile, Esq., Naples  
Jim Kowalski, Jr., Esq., Jacksonville Area Legal Aid (JALA)  
Matt Benefiel, Trial Court Administrator, 9<sup>th</sup> Circuit  
Karen Rushing, Clerk of Court, Sarasota County  
Sharon Bock, Clerk of Court, Palm Beach County  
Tanya Jackson, Adams Street Advocates

Judge Robert Hilliard, Santa Rosa County  
Judge Scott Stephens, 13<sup>th</sup> Circuit  
Judge Stevan Northcutt, 2<sup>nd</sup> DCA  
Murray Silverstein, Esq., Tampa  
John M. Stewart, Esq., Vero Beach  
Ken Nelson, CTO, 6<sup>th</sup> Circuit  
Jannet Lewis, CTO, 10<sup>th</sup> Circuit  
Christina Blakeslee, CTO, 13<sup>th</sup> Circuit  
Elisa Miller, Akerman LLP

### **Members not in attendance**

Judge Josephine Gagliardi, Lee County  
Thomas Genung, Trial Court Administrator, 19<sup>th</sup> Circuit  
David Ellspermann, Clerk of Court, Marion County  
Sandra Lonergan, Trial Court Administrator, 11<sup>th</sup> Circuit

Judge Martin Bidwill, 17<sup>th</sup> Circuit  
Judge C. Alan Lawson, 5<sup>th</sup> DCA  
Mary Cay Clanks, Clerk of Court, 3<sup>rd</sup> DCA

### **OSCA and Supreme Court Staff in attendance**

P.K. Jameson  
Alan Neubauer  
Jeannine Moore

Roosevelt Sawyer, Jr.  
Lakisha Hall

### **Other Attendees**

Craig Van Brussel, CTO, 1<sup>st</sup> Circuit  
Mike Smith, CTO, 4<sup>th</sup> Circuit  
Jim Weaver, 6<sup>th</sup> Circuit  
Robert Adelardi, CTO, 11<sup>th</sup> Circuit  
Noel Chessman, CTO, 15<sup>th</sup> Circuit  
Sunny Nemade, CTO, 17<sup>th</sup> Circuit  
Craig McLean, CIO, 20<sup>th</sup> Circuit  
Jon Lin, Trial Court Administrator, 5<sup>th</sup> Circuit  
Paul Silverman, Trial Court Administrator, 8<sup>th</sup> Circuit  
Melvin Cox, Director of Information Technology,  
Florida Court Clerks and Comptrollers  
Carolyn Weber, Florida Court Clerks and Comptrollers

Isaac Shuler, CTO, 2<sup>nd</sup> Circuit  
Terry Rodgers, CTO, 5<sup>th</sup> Circuit  
Fred Buhl, CTO, 8<sup>th</sup> Circuit  
Dennis Menendez, CIO, 12<sup>th</sup> Circuit  
Gerald Land, CTO, 16<sup>th</sup> Circuit  
Steve Shaw, CTO, 19<sup>th</sup> Circuit  
Amy Borman, 15<sup>th</sup> Circuit  
Tom Morris, State Attorney, 8<sup>th</sup> Circuit  
Patricia Alexander, Esq., Boca Raton  
Christopher Campbell, Florida Court Clerks  
and Comptrollers  
Tom Hall, Florida Court Clerks and Comptrollers

Justin Horan, Clay County Clerk of Court  
Harold Sample, Pasco County Clerk of Court  
Tony Landry, Volusia County Clerk of Court  
Kimberly Stenger, Polk County Clerk of Court  
Doris Maitland, Lee County Clerk of Court  
Carole Pettijohn, Manatee County Clerk of Court  
David Winiecki, Sarasota County Clerk of Court  
Doug Bakke, Hillsborough County Clerk of Court  
Linda Doggett, Clerk of Court, Lee County  
Laura Roth, Volusia County Clerk of Court  
Angel Colonneso, Manatee County Clerk of Court  
Nichole Fingerhut, Palm Beach County Clerk of Court  
Chief Judge Jeff Colbath, 15<sup>th</sup> Circuit  
Judge Cheryl Caracuzzo, 15<sup>th</sup> Circuit  
Judge Jessica Ticktin, 15<sup>th</sup> Circuit  
Judge James Martz, 15<sup>th</sup> Circuit  
Shilpa Proddutoor, Palm Beach County Clerk of Court  
Sarwar Siddiqui, Palm Beach County Clerk of Court  
Hal Valeche, County Commissioner, Palm Beach County  
Allyson Lynch, 15<sup>th</sup> Circuit  
Marla Jacknin, 15<sup>th</sup> Circuit  
Alison DeBelder, FL Justice Technology Center  
Steve Moerbe, Tyler Technologies  
Dave Johnson, Mentis Technologies  
Jon Van Arnam, Esq., Asst. County Administrator,  
Palm Beach

Brent Holladay, Lake County Clerk of Court  
Mike Phelps, Polk County Clerk of Court  
Gerald Cates, Duval County Clerk of Court  
Tyler Winik, Brevard County Clerk of Court  
Laurie Rice, Brevard County Clerk of Court  
Paul Jones, Palm Beach County Clerk of Court  
Chris Short, Pinellas County Clerk of Court  
Repps Galusha, Orange County Clerk of Court  
Cindy Guerra, Palm Beach County Clerk of Court  
Jeff Taylor, Manatee County Clerk of Court  
Mary Ellis, 15<sup>th</sup> Circuit  
Larissa Kries, 15<sup>th</sup> Circuit  
Judge Jeffrey Gillen, 15<sup>th</sup> Circuit  
Judge Laura Johnson, Palm Beach County  
Judge Meenu Sasser, 15<sup>th</sup> Circuit  
Mayor Mary Lou Berger, West Palm Beach  
Patience Burns, Palm Beach County Bar Assoc.  
Melissa Sotillo, 15<sup>th</sup> Circuit  
Stephanie King, 15<sup>th</sup> Circuit  
Michelle Spangenberg, 15<sup>th</sup> Circuit  
Steve Green, CSR Professional Services, Inc.  
Carol LoCicero, Thomas & LoCicero  
Chris Stewart, Pioneer Technologies  
Tom Leighton, Thomson Reuters  
Kelley Burke, Legislative Aide, Palm Beach  
County Commissioner Melissa McKinley

Judge Munyon welcomed the commission members and other participants to the meeting. She recognized Chief Judge Jeff Colbath and the warm welcome that the Palm Beach County Bar and the Palm Beach County Commission has provided for the FCTC meeting. Chief Judge Colbath noted some of the local dignitaries that assisted in supporting the FCTC conference: West Palm Beach Mayor, Mary Lou Berger; Vice Mayor, Hal Valeche; Assistant County Administrator, Attorney Jon Van Arnam.

Judge Munyon reported on absentee FCTC member, Mary Cay Blanks, in the passing of her son. Any donations for the contribution to the flowers, sent from the FCTC, can be sent to Jeannine Moore in OSCA. Judge Munyon called the meeting to order and advised everyone that the meeting was being recorded.

## **AGENDA ITEM II. Approval of May Minutes**

### **Motion to approve the minutes from the May 6, 2016 meeting of the Florida Courts Technology Commission.**

MOTION OFFERED: Laird Lile  
MOTION SECONDED: Murray Silverstein  
MOTION CARRIED UNANIMOUSLY

### **AGENDA ITEM III. Approval of FCTC Action Summary**

#### **Motion to approve the Florida Courts Technology Commission's action summary from the May 6, 2016 meeting.**

MOTION OFFERED: Laird Lile  
MOTION SECONDED: Karen Rushing  
MOTION CARRIED UNANIMOUSLY

### **AGENDA ITEM IV. FCTC Overview**

Judge Munyon explained the [FCTC Overview](#) is a current listing of the FCTC items that have been approved for informational purposes only.

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

- a. 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 both the civil and criminal divisions by December 2016; three counties are currently transitioning to a new viewer and three counties are dealing with ongoing delays with resources and funding to implement viewers in the criminal divisions. Alan explained Judge Munyon's request to categorize the CAPS Viewers that are fully implemented. Fully implemented meaning the system is being used by judges to file orders through their viewer to the Portal. Eighteen counties are fully implemented; twenty-nine counties anticipate implementing this functionality by March 2017; twenty counties have either not implemented their viewer, no resources to implement functionality, or have integration challenges with the Portal. Murray Silverstein remarked on the twenty-nine counties that anticipate the full functionality of their CAPS viewer and inquired on a timeframe for a majority to implement this functionality. Alan commented less than a year to have 80% of the sixty-seven counties to have full functionality of their CAPS viewer. Murray questioned the twenty counties that are undetermined to implement the full functionality, how many are due to funding issues. Alan replied seven counties have no funding resources within their county to implement this functionality in their viewer. Murray inquired on the number of vendors that are supplying the viewers in the state. Alan replied, three vendors and four in-house systems. Judge Munyon commented that the implementation chart does not take an account of the new functionality in the Portal on receiving orders. In the future, another column will be added to the chart emphasizing the viewers' capability of receiving orders to be signed and filed electronically. Murray commented on the process of filing an order through

the Portal, without a judicial viewer, and how it is automatically e-served on all litigants who are registered with the Portal. Carolyn Weber followed up indicating that the proposed orders can be submitted to the circuit, then the judges can have the proposed orders emailed to an email address, process in the Portal, or print and sign them to be filed through the Portal. Murray said filing through the Portal without a viewer will still effectuate e-service for those able to receive email service. Judge Munyon conveyed Judge Gagliardi's comment on the seamless process of receiving proposed orders through the Portal.

## **AGENDA ITEM VI. Portal Progress Report**

- a. Carolyn Weber discussed the Portal usage statistics. In the month of July 2016, there were 1,143,430 filings through the Portal, of which 1,138,899 were submissions to the trial courts; 682 were submissions to the Department of Corrections; 2,901 were submissions to the Second District Court of Appeal; and 948 were submission to the Florida Supreme Court. There were 130 proposed orders submitted to the judicial circuits. Approximately 1.85% of filings were placed in the correction queue to be returned to the filer for correction. Of the 21,176 submissions returned for correction, 10,669 were corrected and resubmitted. The other submissions are left in the pending queue and ultimately moved to the Abandoned Filing queue where the filer can no longer update that submission. Roughly 21,127 submissions were in the pending queue for returns to the filer. Carolyn discussed the number of documents returned to the filer for corrections by filer role and the percentage of the documents that were actually resubmitted as opposed to submitting a new document. The number of self-represented litigants continues to increase with approximately 6,000 submissions. Carolyn went over the projects the FCCC is currently working on. Criminal e-filing is pending implementation in Pasco County; the FCCC is working with system-to-system e-filing with third party vendors; a new release is scheduled for October 21, 2016; working with the Supreme Court and the District Courts of Appeal to convert to eFACTS; working with the DOC to assist them with submitting proposed violation of probation (VOP) warrants to the judges; 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 gave an update on the Portal service desk. The service desk takes calls regarding customer service incidents along with technical and system support incidents. Roughly 2,456 customer service incidents were received during July 2016. On average it took 15 minutes to respond to an incident and 40 minutes to resolve an incident. Roughly 426 technical/system support incidents were received during July 2016. On average it took 12 minutes to respond to an incident and 3 hours and 3 minutes to resolve an incident. Carolyn showed the top 10 types of incidents the service desk receives from judges, attorneys, and pro se filers, as well as the statistics on those types of incidents. Carolyn discussed the service desk initiative of cleaning up bad email addresses. In the month of July nearly 5,600 bad email addresses on the Portal were corrected. These email addresses contain invalid characters, spaces or are no longer valid addresses for the filers.
- c. Carolyn discussed the enhancements in the upcoming Portal release 2016.02 that was approved by the E-Filing Authority Board and will go into production on October 20, 2016. The filer interface modifications are:
  - Add 'Forgot User Name' to Portal

- Fee Waiver option added to the Portal for F.S. 63 [Adoptions]
- Allow the ability to copy a previously entered address from one party to another when creating a new case and adding parties in the Portal.
- Change pending queue to correctional queue and add enhancements to correction queue.

Judge Munyon inquired on the email address clean up and the bounce backs when e-servicing. Is a notation being done on the e-service list, when an email address has been removed, due to a bad email address? Carolyn replied yes, there is a notation done on the service list page and it is up to the user to correct the email address. If you click on the link, it actually tells you how many bounce backs the email has received.

- d. Carolyn gave an update on the proposed order functionality in the Portal. An update was done in the Portal that enhanced the file and sign feature. When a proposed order is received, there is a sign and file functionality that will affix the “done and ordered” with the County, the actual date the order was signed, along with the wet-ink signature of the Judge. It further creates and dates a certificate of service. There is also a place for the judicial assistant to add their name and title in the judges’ preferences. The user manual will be updated in the near future.

### **AGENDA ITEM VII. Standards for Third Party Vendors**

Carolyn discussed the standards for third party vendors. The E-Filing Authority has approved the application and license agreement and is currently accepting applications until August 15, 2016. Nine applications have been received, two from law firms, the rest are from process servers or investigator type agencies. Access has been given to the documentation and testing will begin as soon as they are ready to test. If testing goes well, it is anticipated to have all approved entities ready to begin the batch filing process in November 2016.

### **AGENDA ITEM VIII. Portal Subcommittee Update**

- a. Carolyn discussed the Florida Bar Attorney Status Validation that was presented to the Portal Subcommittee. The Portal was asked to validate attorneys, upon logging-in, using the Florida Bar list on attorneys that are not in good standing with the Florida Bar. The FCCC put together a requirements gathering document to obtain some guidance on the various restrictions, once they are received from the Florida Bar. The members of the Portal Subcommittee decided to refer the issue over to John Stewart, who is a member of the Florida Bar Board of Governors Technology committee, to make a recommendation to the Portal and the FCTC.

Judge Munyon deferred from the agenda and called upon Melvin Cox to present a CCIS update. Melvin stated the existing CCIS system is being updated to provide more real time and accurate data, as well as provide consistency in a uniform interface for all counties. Melvin explained CCIS is a statewide case and party repository and is integrated with the Portal and the JIS system. CCIS 3.0 utilizes national and statewide standards for integration, as well as the FCTC

Data Exchange Workgroup Standards. CCIS 3.0 integrates all 67 clerks of court real time data, into a statewide case index. This index allows access for governmental users to perform case or party searches. All the CMS systems are being programmed to send the case data to CCIS, as soon as it is received; thus allowing statewide access to real time data. Currently, in the early stages of the final rollout, three counties have been fully implemented. The goal is to have all counties fully implemented by December 31, 2016. Melvin discussed some of the benefits to the users of CCIS 3.0. Real-time access to Clerk data via access to a single statewide system; same day availability of case number for use in the Portal; improved system response time. Murray inquired on accessing CCIS directly from the Portal. Melvin replied yes, when a filer submits a case in the Portal, a link is provided on the filers my filings page. The link provides a snap shot of the information for that case. Although, you can't access the search functionality of CCIS through the Portal, their partnering to show a snap shot of the cases. Murray questioned the objective of having immediate access to CCIS and when certificate of service is updated there wouldn't be any discrepancy being real time data. Melvin replied it does not pass the service list information back and forth. Christina Blakeslee inquired on when a judge orders a birth certificate to be changed and being able to access the vital statistics database to confirm. Melvin responded that the only interaction CCIS would have with vital statistics, would be on death certificates for jury selection. Melvin added they could do something similar with birth certificates and have worked with vital statistics department in the past.

### **AGENDA ITEM IX. Appellate Portal Interface Update**

Due to John Tomasino's absence, Alan Neubauer gave the Appellate electronic systems update. OSCA's ISS and the technical staff of the 1st DCA have been working together 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 target for the unified back end is the fall of 2016 and this initiative is on track to meet that deadline. The appellate courts will continue to work with the FCCC on the integrated Portal for appellate filings.

### **AGENDA ITEM X. CCIS Subcommittee Update**

Judge Perkins discussed the charge of this subcommittee is to determine and then develop a way of automating the task of getting related party/case information. At this time, the subcommittee is attempting to develop the functionality in the family law division however, looking to expand out to other divisions. Judge Perkins presented the matrix, prepared by the Related Party Workgroup that reflects a survey of the various clerks CMS data elements that are currently being captured. In addition to identifying those data elements, it displays the frequency that they are being captured by the clerks. In moving forward, the case type data will be reviewed to determine the data elements necessary to provide to a judge, to automate the task of related cases/parties in the unified family division. Once the related data elements are determined, the subcommittee will decide on the best method to obtain and automate the information to provide to a judicial officer for purposes of related cases/parties.

The goal before the next meeting is to identify the case types with sufficient frequency and the ability to automate the task of capturing the data.

## **AGENDA ITEM XI. Abandoned Filings Workgroup Update**

- a. Due to Judge Gagliardi's absence, Doug Bakke presented the survey results on the E-Filing Pending Queue. Doug explained the survey solicited all 67 clerks to review their respective reasons for placement of filings into the Portal's Pending Queue. From this review, they were asked to provide a more general list of reasons. In addition, each county was asked to provide a copy of or reference all county/circuit Administrative Orders that govern the pending queue processing. The responses were reviewed further to reduce the general reason codes down to a list of 20. The results show there is opportunities for training and educational purposes, as well as some possible technology changes being requested through the Portal. The workgroup will take the list and further analyze any Administrative Orders or technology solutions, to narrow list down further. In addition, during some of the workgroup discussions, a deficiency was identified in the Portal, when it submits a document to the clerks' office, e-service is effectuated on all parties registered through the Portal. When an item is placed into the pending queue, no notification goes out to the parties who were initially e-served. The Workgroup recommends the following motion: for all parties to have knowledge of submissions not being processed by the clerk.

### **Motion for the FCTC to approve electronic notification be effectuated upon all original e-service recipients when a submission is returned to the correction queue, resubmitted or placed in the abandoned filings queue.**

MOTION OFFERED: Judge Ronald Ficarrota

MOTION SECONDED: Judge Stevan Northcutt

John Stewart inquired on the value of the other parties getting notification on the submission not being processed. Doug responded with an example regarding a submission of a voluntary dismissal that was submitted, the attorney requested to place the filing in the pending queue and the document was never processed. Parties thought case was dismissed and were not aware of not being processed. Laird clarified all original e-served parties should have knowledge of what is happening with that document.

MOTION CARRIED UNANIMIOUSLY

Doug stated when documents are placed in the abandoned filing queue, they are not processed and remain in that queue. The Workgroup is researching a technology solution to maintain those original documents.

## **AGENDA ITEM XII. Access Governance Board Update**

- a. Judge Hilliard informed the members that the Board received a 90-day extension request from Polk County to delay implementation of their electronic records access application and continue to use their existing remote access applications.

**Motion for the FCTC to approve Polk County’s request for a 90-day extension to allow the Public Defenders and State Attorneys to continue to use existing remote access applications while they finalize development of their AOSC16-14 compliant application.**

MOTION OFFERED: Judge Robert Hilliard  
MOTION SECONDED: Judge Ronald Ficarrota  
MOTION CARRIED UNANIMOUSLY

- b. Judge Hilliard briefly discussed Monroe and Broward County’s Online Electronic Records Access Applications. He offered two motions to be voted on simultaneously.

**Motion for the FCTC to approve Monroe County’s Online Electronic Records Access application for Public Internet (Anonymous).**

**Motion for the FCTC to approve Broward County’s Online Electronic Records Access applications for Attorney of Record, Commercial Purchasers of Bulk Records, and Individuals Registered for Subscriber Service.**

MOTION OFFERED: Judge Robert Hilliard  
MOTION SECONDED: Christina Blakeslee  
MOTION CARRIED UNANIMOUSLY

- c. Judge Hilliard stated there are several stakeholders under consideration regarding updating the *Access Security Matrix*. These applications are under advisement and are being deferred until the next FCTC meeting.

**AGENDA ITEM XIII. Certification Subcommittee Update**

Judge Perkins discussed a letter received from Judge Paul Alessandroni, Chair of the Court Statistics and Workload Committee (CSWC). The letter requested the subcommittee to provide commentary on five possible enhancements recommended by the CSWC to the Functional Requirements for Court Application Processing System (CAPS). The subcommittee reviewed the recommendations and invited Judge Alessandroni and P.J. Stockdale of OSCA, to the August meeting to give specifics on the recommendations. The proposed capabilities are listed below. Judge Perkins said some of the capabilities already exist in the CAPS viewers and some would need to be developed. The subcommittee will further research these capabilities to determine a recommendation at a later meeting.

1. Option for a judge or case manager to report status of case to Clerk and JDMS. (Priority 1)

2. Option for a judge or case manager to identify that he/she believes a case to be closed. (Priority 1)
3. Capability to request and retrieve performance statistics from JDMS Dashboard. (Priority 2)
4. Removal of requirements for computing clearance rate, time to disposition and pending performance metrics locally within CAPS. (Priority 3)
5. Transfer of Calendaring Information to JDMS. (Priority 4)

Judge Perkins stated the subcommittee updated *the CAPS Functional Requirements* and Jannet Lewis will be presenting the proposed changes during the Standards Consolidation Workgroup update.

### **AGENDA ITEM XIII. Document Storage Workgroup Update**

Steve Shaw said the Workgroup believed their primary task was to focus on the move from storage of documents in TIFF format to PDF format. The Workgroup now realizes the simple task of saving court files in a PDF format for long term storage was only a small part of the process associated with a change in the document format. After a significant evaluation of PDF/A sub-formats, the Workgroup determined that PDF/A-2 is the final document storage format for the foreseeable future due to the increased security of the format. PDF/A-2 standard was published in 2011 and offers enhancements in font management, allows image compression utilizing JPEG2000 compression, as well as allows for better support of PAdES (PDF Advanced Electronic Signatures). Because tools to generate PDF/A-2 documents are not generally available, filing in the PDF/A-1 format would be accepted until PDF/A-2 is more generally adopted. In addition, there are other areas the workgroup believe should be considered and include: possible changes to the Portal for document conversion and time-stamping; Clerk system changes associated with document storage, redaction, and time stamping; and functionality changes associated with the CAPS viewer and other viewing entities. Steve referred to the materials and the development of the *Draft Standards for Electronic Courts Document*. Several portions of the document are complete and other components only require minor changes. This document defines standards and guidelines for electronic document creation, document filing, document storage, and document delivery. Steve briefly went through the document and explained the concept of each of the standards. Steve requested another 3-6 months for the Workgroup to continue research with the Certification and Technical Standards Subcommittees to better define the document storage standards. Judge Munyon believes the final draft standards will be approved at the next meeting and at that point she will refer them over to the Technical Standards Subcommittee to determine if they should be incorporated into the *Standards Consolidation* document. Murray noted the Court rules should be referenced in the document storage standards where necessary.

### **Motion for the FCTC to approve PDF/A-2 as the long-term storage format.**

MOTION OFFERED: Steve Shaw

MOTION SECONDED: Murray Silverstein

Discussion on the “long-term” language prompted Steve to amend his motion and Murray Silverstein accepted the amendment.

**Motion for the FCTC to approve PDF/A-2 as the preferred document format and PDF/A-1 currently remains as an acceptable format.**

Tyler Winik inquired on an implementation date targeted for clerks that currently store documents in TIFF. Judge Munyon responded that the FCTC previously approved the PDF/A format and she understood the clerks were changing from TIFF to PDF format for future storage of documents. Tyler added this would require a programming change or upgrade to the entire document management system and is more than a date forward, it is when the clerks believe they can implement. Judge Munyon understood and knew the Odyssey and the Clericus counties have upgraded their system. Ken Nelson noted this is recommended as a means of filing the document. The Portal accepts documents filed in Word, Word Perfect and PDF formats. The Portal does not accept TIFF documents; however, the Portal converts documents to TIFF. This recommendation is not asking for any changes, only to work towards this format direction. Judge Munyon added, ultimately it will require some systems to be modified to protect the intelligence of the incoming document from the Portal. Steve stated the purpose is not for the clerks to completely replace their CMS systems and not be aware of what the future formatting will be. Currently, clerks can still store in TIFF. Murray suggested a timeframe be determined and inquired on the expense of technological fixes that are required to have the Portal convert the documents to an acceptable PDF format. Metadata is removed when documents are stored as a TIFF; therefore, filers should move away from this format. A timeframe should be established when the Portal can discontinue converting TIFF documents. Judge Munyon stated the original mission of the Document Storage Workgroup was to establish long-term document storage standards, as well as timeframes for implementation. Steve stated there are two significant issues that need to be resolved before the workgroup can finalize its task. The first hurdle is the document creator that does not have the interest or the education to know how to file appropriate documents. The second hurdle is the costs to the clerk’s office. Estimates and timeframes will need to be further researched. Murray commented on the Portal’s ability to convert different formatted documents to PDF’s. One of the goals could be accomplished if the conversion process is halted and filers are required to file in a PDF format. Murray suggested the Florida Bar’s Board of Governors Technology Committee could assist in the educational aspect. Brent Holladay stated it is estimated to cost the clerks 17 million dollars to upgrade the clerks’ systems statewide. It is projected to take a 3 to 5 years to implement. Once the standards can be sent out to the vendors, the clerks should start evolving their systems to this storage format. To see progress, the change has to begin at the attorneys and go all the way through to the clerks’ document delivery.

MOTION CARRIED UNANIMOUSLY

Judge Munyon tasked the Document Storage Workgroup to finalize the standards document. Once completed, the standards will be referred to the Technical Standards Subcommittee for review. At that time, the Technical Standards Subcommittee can refer any issues that need to be addressed in the future to the respective subject matter subcommittees.

### **AGENDA ITEM XV. Standards Consolidation Workgroup Update**

- a. Jannet Lewis said the Workgroup worked with several subcommittee chairs on updating various parts of the consolidated standards document and thanked them for their work. There are a few updates that require FCTC approval. The standards are separated into distinct major parts and renumbered in a user-friendly way for reference purposes. Jannet went through each section and noted the recommended modifications.

Jannet stated Section I-Purpose, gives a high level explanation of what the consolidated standards are and gives a brief background on the governance authority of the FCTC to update these standards. The RJA Joint Workgroup assisted with Section 1.1 and was condensed down to simplify the language.

#### **Motion for the FCTC to accept the changes in Section 1 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Robert Hilliard  
MOTION CARRIED UNANIMOUSLY

Jannet stated Section II-Portal Technology Standards was previously referred to as E-filing Standards; however, the Portal provides functionality that extends beyond e-filing. The RJA Joint Workgroup assisted with updating this section as well since it has the most impact on the rules of judicial administration. Section 2.2 Electronic Transmission and Filing of Documents was added to enhance the definition of the Portal. Section 2.3.15.3 Confidentiality and Sensitive Information and 2.3.14 Docket Numbering was previously approved by the FCTC and the language was added for these sections. Section 2.6 ADA and Technology Compliance was in multiple standards documents. In order to reduce redundancy, an ADA and Technology Compliance appendix was added.

#### **Motion for the FCTC to accept the changes in Section 2 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Christina Blakeslee  
MOTION CARRIED UNANIMOUSLY

Jannet stated Judge Perkins assisted with Section 4-Functional Requirements for Court Application Processing System. Performance areas of this section were cleaned up to elude from the foreclosure performance measures. Section 4.6.4.2 was clearly defined with single word and multiple word searches. The reporting and statistics section has not been completed at this time, as there will be major updates in this section.

**Motion for the FCTC to accept the changes in Section 4 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Terrence Perkins  
MOTION CARRIED UNANIMOUSLY

Jannet stated these changes will be incorporated into the final draft of the *Florida Supreme Court Technology Standards* document, as well as the appendix being updated. Jannet recognized Lakisha Hall for keeping up with all of the changes to the consolidated document, as well as changes to the original sets of standards.

**Motion for the FCTC to recommend the Florida Supreme Court Technology Standards document be sent to the Supreme Court for review and approval, in the current form.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Terrence Perkins  
MOTION CARRIED UNANIMOUSLY

Jannet stated discrete hyperlinks to rules or other documents referenced throughout the standards will be added. Jannet recognized Noel Chessman, who is working with the Florida Bar and OSCA webmaster to insert hyperlinks on the specific technology standard or rule they are referencing. Noel demonstrated the hyperlinks on the Florida Bar and the Florida Courts websites. In each source document, an anchor was inserted to point to the specific standard or rule that is being referenced. Jannet suggested looking at formalizing staggered schedules to keep the consolidated standards up-to-date once they are approved.

**AGENDA ITEM XVI. FCTC/RJA Joint Workgroup Update**

- a. Murray Silverstein pointed out the local administrative order in the Twelfth Judicial Circuit that does not require the clerks or the courts to utilize email service and requires paper copies be submitted and disseminated by mail.
- b. Judge Stephens discussed the on-going project of the RJA's Subcommittee B on changing the Rules 2.515 Signature and Certificates of Attorneys and Parties, 2.516 Service of Pleadings and Documents, and 2.525 Electronic Filing from the transitional rules that were created at a time when the e-filing system was not ultimately formed. Judge Stephens referred to Subcommittee B's report that deliberately omits any proposed rule language in

order to keep the focus on the objectives at the conceptual level. The following principles were proposed:

1. The rules must protect and serve the existing principles and the newly developed practices which are expected to be persistent. Any policy change must be transparent.
2. The rules must be logically organized and simply written, and function as part of the larger system.
3. Technical matters likely to change should not be in the rules, but in the FCTC standards.
4. The rules will eliminate unnecessary language.

Judge Stephens noted some of the enumerated problems with the current rules. There is a service rule with a filing provision and a filing rule with a service provision. A signature rule, but also a signature provision in the service rule. The filing provision of the service rule says “all documents must be filed” when in fact many documents should be served but not filed. Rules are indecipherable to unrepresented parties and even to some attorneys. Accordingly, the general objectives are to organize, modernize and simplify. Subcommittee B would like to have the approval in general, from the FCTC, to ensure the correct path is being taken. Judge Stephens will present the rules to the FCTC for approval in advance of the rules being presented to the Supreme Court for approval.

### **AGENDA ITEM XVII. Clerk E-Signatures**

Murray Silverstein discussed clerk e-signatures as part of the e-filing standards and inquired with the clerks if the necessity is there to expand rule 2.515 authorizing clerk’s e-signatures. Karen Rushing stated the representatives of the clerks support a rule authorizing the e-signatures of clerks. Tom Hall commented that the appellate court clerks have been issuing orders with e-signatures from the clerks for at least 15 years and includes Supreme Court summonses, which have not been contested by any of the sheriffs. A rule would be good for optional purposes. Murray suggested FCTC refer the clerk e-signature issue over to the RJAC for consideration. Chris Blakeslee noted the FCTC previously passed a motion to add a new section to the *Standards for Electronic Access to the Courts* for clerk signatures.

### **AGENDA ITEM XVIII. Original Documents**

Murray Silverstein stated that the list of documents required to be retained in paper is being analyzed by the RJAC to determine if the list should be reduced or to eliminate the retention of any paper documents. Chris Blakeslee inquired on the completion timeframe. Murray responded a request can be made to the RJAC for acceleration.

### **AGENDA ITEM XIX. Other Items/Wrap up**

With no further new business, Judge Munyon thanked the Circuit and County of West Palm Beach for hosting the meeting and advised the next FCTC meeting is scheduled for November 17-18, 2016 in Lake County, with the location to be announced at a later date.

**Motion to adjourn the FCTC meeting.**

MOTION OFFERED: Chris Blakeslee

MOTION SECONDED: Laird Lile

MOTION CARRIED UNANIMOUSLY