



FCTC
Action Summary
October 2017

- FCTC approved the following motion for second reading: Motion to require the Portal E-Filing Authority to schedule maintenance so that the conclusion will occur on the same day as the commencement. For instance, a 5-hour scheduled maintenance should begin no later than 6 PM. Ideally, scheduled maintenance should begin shortly after midnight.
- FCTC approved the following motion from the Portal Subcommittee for first reading: 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 notify and provide educational opportunities to the filers as to the requirement of filing documents in PDF/A format.
- FCTC approved the following motion for first 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 date 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.

- FCTC approved a motion from the Access Governance Board for the FCTC to make a recommendation to the Supreme Court that Wakulla 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.
- FCTC approved the following motion on second reading from the Access Governance Board: Motion to approve the Agency Agreement, Registered User Agreement, and Gatekeeper Management Form.
- FCTC approved the following motion on first reading from the Access Governance Board: Motion to remove Financial Miscellaneous case type from the *Access Security Matrix*.
- FCTC approved the following motion on first reading from the Access Governance Board: Motion to add a Gatekeeper definition to the *Standards for Access to Electronic Court Records*.
 - Gatekeeper. In an effort to effectively manage access and ensure security, an agency may utilize a gatekeeper, who shall be an employee of that agency, for the purpose of adding, updating, and deleting user or agency information. A gatekeeper shall only add users commensurate with an agency’s user role type and/or as registered users. Each agency shall be responsible for ensuring that each user added by the gatekeeper is only given access that is commensurate to their job duties. Nothing in this definition shall nullify any other duty imposed upon the gatekeeper by the Access Governance Board.
- FCTC approved the following motion on first reading from the Access Governance Board: Motion to update the User Maintenance section in the *Standards for Access to Electronic Court Records* to the following:
 - USER MAINTENANCE AGREEMENTS

~~Each state or local government agency or law office with personnel who access electronic records in a role that must be authenticated must assign a gatekeeper to notify clerk’s office staff of employee or contractor changes. Each agency and law office must remove terminated employees or contractors and must accept responsibility for unauthorized access. The FCTC, in conjunction with the clerks, must develop and maintain agreements clearly defining responsibilities for user maintenance access.~~

 - Clerks may use an online agreement, instead of a paper agreement, that requires users to agree to terms using an online click-through (for example, clicking on the “I AGREE,” button, as with other online term agreements) as long as the agreement terms are versioned so that updates can be tracked.
 - When agreement terms change, users are required to accept the new terms, either electronically or in paper.
 - A sworn agreement is required for each user role, except for the Registered User role as defined by the Access Security Matrix.

- Clerks may conduct periodic reviews of users and user groups to determine compliance with the agreement terms.
- FCTC approved the following motion on first reading from the Access Governance Board: Motion to accept the proposed changes to the *Standards for Access to Electronic Court Records* removing the statutory citations that does not apply to the individual user role for which it is listed.
- FCTC approved the following motion on first 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.
- FCTC approved a request from Judge Munyon to establish a workgroup to look at a long-range plan to eliminate paper.