

Supreme Court of Florida

No. AOSC11-42

IN RE: ELECTRONIC FILING COMMITTEE

ADMINISTRATIVE ORDER

The purpose of the Electronic Filing Committee is to assist the Supreme Court, the Office of the State Courts Administrator, and the Florida Courts Technology Commission, pursuant to rule 2.236, Florida Rules of Judicial Administration, by evaluating proposed plans submitted by clerks of courts, pursuant to rule 2.525, Florida Rules of Judicial Administration, to implement electronic filing of documents as well as subsequent documentation submitted prior to the discontinuation of follow-up filings. In addition, the Committee is responsible for reviewing any proposal for the use of electronic/digital or facsimile signatures by judges.

Court committees are a vital component in the governance of the judicial branch. Committees established by the Supreme Court assist in the development of policies and operating procedures that enhance the administration of justice. In recent years, as a result of the global recession and the subsequent decline in state

financial resources, the Florida State Courts System has sustained significant reductions in operating funds and staff positions. Even given the demanding fiscal times we are in, work of the Electronic Filing Committee must proceed. The Electronic Filing Committee must, however, be cognizant of the limitations on the resources available to support its efforts as it develops a work plan that will accomplish, to the best of the committee's abilities, the important tasks assigned in this administrative order. Accordingly, the chair should use discretion in the establishment of subcommittees that require operating funds and staff support. With regard to meetings, the Electronic Filing Committee should strive to utilize the most economical means appropriate to the type of work being accomplished.

The Committee shall continue to:

1. Review the proposed processes to ensure compliance with established standards (see In re: Statewide Standards for Electronic Access to the Courts, AOSC09-30 (Fla. July 1, 2009) and subsequent updates issued by the Florida Courts Technology Commission) and compatibility with other courts of this state, and to ensure the attorneys, self-represented litigants, and members of the public do not have to purchase multiple software programs in order to file documents electronically from county to county and from court to court.

2. Review control processes and procedures being proposed to ensure adequate integrity, security, and confidentiality; and to ensure compliance with specific directives established by the Supreme Court in April 2007.¹ These include: (a) prohibition of any “data mining” activities by system vendors; (b) prohibition of the release or distribution of court data by vendors; (c) no assessment of fees other than those that are statutorily mandated; (d) daily backups of all electronically submitted data must be conducted; (e) remote data backups must be stored in a protected environment not subject to the same risks of the primary site; (f) approval of any respective system does not constitute approval of any forms involved; and (g) the proposed system will be made compliant with future technological requirements as they are mandated.
3. Review whether the proposal will provide adequate public access to electronically-filed documents and ensure adherence to the privacy requirements as outlined in In re: Revised Interim Policy on Electronic Release of Court Records, No. AOSC07-49 (Fla.

1. See Administrative Orders No. AOSC07-18, AOSC07-19, AOSC07-20, AOSC07-21, AOSC07-22, AOSC07-23, and AOSC07-24 (Fla. April 23, 2007).

September 7, 2007), and any subsequent applicable orders of this Court.

4. Review any other issues relating to the implementation of electronic filing systems that the Florida Courts Technology Commission or the Committee deem appropriate.
5. Accept input from the chief judge of the circuit or district from which the plan is being submitted in making a recommendation regarding approval.
6. Recommend to the Florida Courts Technology Commission, within 120 days of the Committee's receipt of a proposal, whether to accept or reject the proposal.
7. Review any certification filed by the clerk of court or chief judge that the electronic filing system is efficient, reliable, and meets the demands of all parties, which certification request must include a signed statement from the chief judge of the respective circuit or district and other affected parties as to the feasibility of the system certified. The request for certification must also contain the results of the testing process.
8. Review any request from the clerk of court or chief judge for permission to discontinue follow-up filing of documents in paper

form, except as otherwise required by general law, statute, or court rule; and, if approved, recommend to the Florida Courts Technology Commission that a Letter of Authorization be issued to discontinue the follow-up filing.

9. Ensure that all proposed local electronic filing systems are compatible with the E-Filing Court Records Portal (statewide ePortal), which was approved by this Court in 2009.
10. All other recommendations made by the Electronic Filing Committee, including requests for the use of electronic or facsimile signatures by judges, classified as “low complexity,” will be reviewed and final approval issued by the Chair of the Florida Courts Technology Commission, pursuant to rule 2.236.

The Committee should continue to incorporate the principles of accessibility into all court technology projects, through consideration and application of the requirements of the Americans with Disabilities Act of 1990; sections 262.601 through 262.606, Florida Statutes; and any other applicable state or federal disability laws.

The following individuals are appointed to the Committee for a term to expire on June 30, 2014:

Ms. Jannet Lewis
Court Technology Officer, Tenth Judicial Circuit
Bartow, Florida

The Honorable Manuel Menendez, Jr.
Chief Judge, Thirteenth Judicial Circuit
Tampa, Florida

Mr. Paul R. Regensdorf
Holland & Knight, LLP.
Jacksonville, Florida

The Honorable George S. Reynolds, III
Circuit Court Judge, Second Judicial Circuit
Tallahassee, Florida

The Honorable Karen E. Rushing
Clerk of Court, Sarasota County
Sarasota, Florida

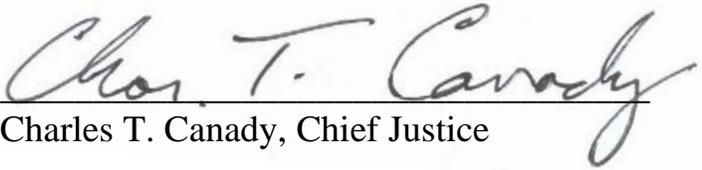
Mr. Kim A. Skievaski
Sellers Skievaski & Stevenson, LLP.
Pensacola, Florida

The Honorable Martha C. Warner
Appellate Court Judge, Fourth District Court of Appeal
West Palm Beach, Florida

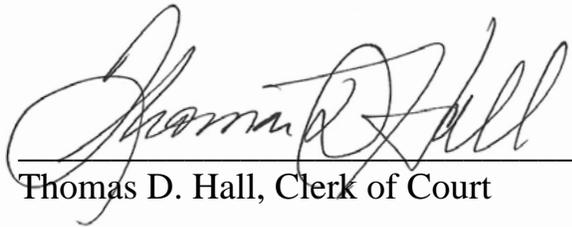
Judge Manuel Menendez, Jr., will serve as Chair through June 30, 2014.

Staff support for the Committee will be provided by the Office of the State Courts
Administrator.

DONE AND ORDERED at Tallahassee, Florida, on December 19, 2011.


Charles T. Canady, Chief Justice

ATTEST:


Thomas D. Hall, Clerk of Court

