

Supreme Court of Florida

No. AOSC09-50

IN RE: ELECTRONIC FILING COMMITTEE

ADMINISTRATIVE ORDER

The purpose of the Electronic Filing Committee is to assist the Supreme Court and the Office of the State Courts Administrator by evaluating proposed plans submitted by clerks of courts, pursuant to rule 2.525, Florida Rules of Judicial Administration, to implement the 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.

As a result of the decline in state financial resources, the Florida State Courts System has sustained significant reductions in operating funds and staff positions over the past few years. During these demanding fiscal times, there is still a need for the important work of the Electronic Filing Committee to proceed. Accordingly, the term of the Committee is extended until November 30, 2011.

The progress of the Committee's work will, however, be impacted by the reduced operational funds and staffing that are available. The Committee is

therefore directed to make every effort to conserve resources by prioritizing its work within available resources; limiting the number of in-person meetings; and utilizing such options as telephone conference calls, videoconferencing, and other electronic meeting options as appropriate.

Over the next two years the Committee shall:

1. Review the proposed processes to ensure compliance with established standards (see Administrative Order No. AOSC09-30 (Fla. July 1, 2009)) and compatibility with other courts of this state, and to ensure that 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 the 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

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

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. Sept. 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 from which the plan is being submitted in making a recommendation regarding approval.
6. Recommend to this Court, 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 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 Supreme Court that an administrative order be executed to discontinue the follow-up filing.
9. Ensure that all proposed local electronic filing systems must be compatible with any statewide electronic filing portal approved at a future date by the Supreme Court.
10. Review requests for the use of electronic or facsimile signatures by judges, classified as “low complexity,” and submit a recommendation to the Florida Courts Technology Commission for review and final approval.

11. All other recommendations made by the Electronic Filing Committee will be reviewed and approved by the Chair of the Florida Courts Technology Commission, prior to submission to the Supreme Court for final action.

The Committee should work 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 November 30, 2011:

Ms. Jannet Lewis
Court Technology Officer, Tenth Judicial Circuit
Court Administration
255 North Broadway
Bartow, Florida 33830

The Honorable Manuel Menendez, Jr.
Chief Judge, Thirteenth Judicial Circuit
800 E. Twiggs St., Suite 602
Tampa, Florida 33602

Mr. Paul R. Regensdorf
Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A.
200 East Law Olas Boulevard
21st Floor, Penthouse A
Ft. Lauderdale, Florida 33301

The Honorable George S. Reynolds, III
Circuit Court Judge, Second Judicial Circuit
301 S. Monroe Street, Room 301-D
Tallahassee, Florida 32301

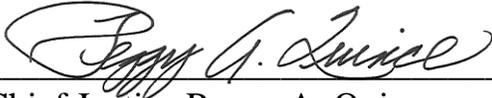
The Honorable Karen E. Rushing
Clerk of Court, Sarasota County
P. O. Box 3079
Sarasota, Florida 34230-3079

The Honorable Kim A. Skievaski
Circuit Court Judge, First Judicial Circuit
M.C. Blanchard Building
190 Governmental Center, Fifth Floor
Pensacola, Florida 32501

The Honorable Martha C. Warner
Appellate Court Judge, Fourth District Court of Appeal
1525 Palm Beach Lakes Boulevard
West Palm Beach, Florida 33401

Judge Manuel Menendez, Jr., will serve as Chair through November 30, 2011. Staff support for the Committee will be provided by the Office of the State Courts Administrator.

DONE AND ORDERED at Tallahassee, Florida, on November 25, 2009.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall, Clerk, Supreme Court

