

Florida Courts Technology Commission Meeting Summary

May 11, 2018

A meeting of the Florida Courts Technology Commission was held at the Bonnet Creek Resort in Orlando, Florida on May 11, 2018. 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
Judge Stevan Northcutt, 2nd DCA
Murray Silverstein, Esq., Tampa
Thomas Genung, Trial Court Administrator, 19th Circuit
Sandra Lonergan, Trial Court Administrator, 11th Circuit
Matt Benefiel, Trial Court Administrator, 9th Circuit
Karen Rushing, Clerk of Court, Sarasota County

Judge Ross Bilbrey, 1st DCA
Judge Robert Hilliard, Santa Rosa County
Judge Ronald Ficarrota, 13th Circuit
Judge Scott Stephens, 13th Circuit
Lonn Weissblum, Clerk of Court, 4th DCA
Mike Smith, CTO, 4th Circuit
Christina Blakeslee, CTO, 13th Circuit
John M. Stewart, Esquire, Vero Beach
Elisa Miller, Akerman LLP
Tanya Jackson, PinPoint Results

Members not in attendance

David Ellspermann, Clerk of Court, Marion County
Sharon Bock, Clerk of Court, Palm Beach County
Jim Kowalski, Jr., Esq., Jacksonville Area Legal Aid

Noel Chessman, CTO, 15th Circuit
Laird Lile, Esquire, Naples

OSCA and Supreme Court Staff in attendance

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

Roosevelt Sawyer, Jr.
Lakisha Hall
Raja Shekhar

Other Attendees

Robert Adelardi, CTO, 11th Circuit
Craig McLean, CIO, 20th Circuit
Steve Shaw, CTO, 19th Circuit
Terry Rodgers, CTO, 5th Circuit
Dennis Menendez, CTO, 12th Circuit
Amy Borman, 15th Judicial Circuit
Melvin Cox, Director of Information Technology,
Florida Court Clerks and Comptrollers
Maryanne Marchese, Florida Court Clerks and
Comptrollers
Angie Smith, Thirteenth Judicial Circuit

Craig Van Brussel, CTO, 1st Circuit
Fred Buhl, CTO, 8th Circuit
Brian Franza, CTO, 10th Circuit
Robin Kelly, 7th Circuit
Yvan Llanes, CTO, 18th Circuit
Carolyn Weber, Florida Court Clerks and
Comptrollers
Tom Hall, Florida Court Clerks and Comptrollers
Thomas Morris, State Attorney 8th Circuit
Tony Landry, Seminole County Clerk of Court
Mitch Stanford, 2nd Circuit

Justin Horan, Clay County Clerk of Court
Dave Winiacki, Sarasota County Clerk of Court
Justin Ebright, Pioneer Technology
Carol LoCicero, Thomas and LoCicero
Brent Holladay, Lake County Clerk of Court
Doug Bakke, Hillsborough County Clerk of Court
Harold Sample, Pasco County Clerk of Court
Chris Short, Pinellas County Clerk of Court
Repps Galusha, Orange County Clerk of Court
David Isaacson, Volusia County Clerk of Court
Kimberly Stenger, Polk County Clerk of Court
Paul Jones, Palm Beach County Clerk of Court
Laurie Rice, Brevard County Clerk of Court
Mary Lynn Sullivan, Tyler Technologies
Doris Maitland, Lee County Clerk of Court
Kevin Karnes, Lee County Clerk of Court
Alan Hebdon, Pinellas County Clerk of Court
Lawrence Kolin, Florida Bar, ADR Section
Brian Murphy, Mentis Technology Solutions

Nancy Owens, Thomson Reuters
Laurie Reaves, Miami-Dade 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
Carole Pettijohn, Manatee County Clerk
Court
David Lane, Charlotte County Clerk of
Court
April Biegler, Brevard County Clerk of
Court
Jean Sperbeck, Alachua County Clerk of
Court
Darlene Green, Leon County Clerk of
Court
Steve Green, Equivant

AGENDA ITEM I. Welcome

- a. Judge Munyon welcomed the commission members and other participants to the meeting. She called the meeting to order and advised everyone the meeting was being recorded.
- b. Jeannine Moore called roll and noted a quorum was present.

AGENDA ITEM II. Approval of February Meeting Summary

Motion to approve the meeting summary from the February 9, 2018 meeting of the Florida Courts Technology Commission.

MOTION OFFERED: Murray Silverstein
MOTION SECONDED: Judge Robert Hilliard
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM III. Approval of February FCTC Action Summary

Motion to accept the action summary from the February 9, 2018 meeting of the Florida Courts Technology Commission.

MOTION OFFERED: Judge Robert Hilliard
MOTION SECONDED: Thomas Genung
MOTION CARRIED UNANIMOUSLY

AGENDA ITEM IV. Time to D.E.A.L. Presentation

Judge Emily Peacock, George Roberts, and Doug Bakke did a presentation on Dependency Automation & Information Systems Pilot. Judge Peacock gave some background information on the automation of dependency cases in Hillsborough County. Case and Family Services brought representatives from the National Center for State Courts (NCSC) to review Hillsborough's automation system. At that time, Judge Peacock learned about Florida Dependency Court Information System (FDCIS). FDCIS pulls information from a number of data sources including: the Comprehensive Case Information System (CCIS), Florida Safe Families Network (FSFN), Interstate Compact on the Placement of Children (ICPC), Department of Juvenile Justice (DJJ), and Guardian ad Litem. Judge Peacock said after the presentation the FCTC members and other attendees should be able to describe specific metric and resource requirements for dependency automation, case management and performance measures for the creditability of the judicial branch; evaluate current workflow practices and establish priorities for performance metrics; adjust workflow processes and create an action plan; and leverage resources with judicial stakeholders to create mutual efficiencies. In order to describe specific metric and resource requirements, the Thirteenth Circuit reviewed the Office of Juvenile Justice and Delinquency Prevention Performance Measures for child abuse and neglect cases to ensure the Thirteenth Circuit met the benchmarks and time limits established by the federal government. The Thirteenth Circuit also reviewed information technology and case tracking systems. In order to evaluate current workflow practices and establish priorities for performance metrics, the Thirteenth Circuit prepared templates that outline each measure, data element and data source; the Clerk and staff from the Office of the State Courts Administrator identified issues and challenges related to meeting performance measures in the template; OSCA staff explored options to include other agencies' data to obtain complete data history; and the court established performance metrics. The Thirteenth Circuit adjusted workflow processes and created an action plan. Judges can view FDCIS from the bench; view case notes electronically in the Judicial Automated Workflow System (JAWS); generate electronic orders in the courtroom; and eliminate paper calendar. Judicial assistants and case managers can enter case notes into JAWS. In FDCIS, OSCA added new data fields; created a nightly process that runs county files; added case alerts/flags to indicate missing JR hearings based on county data; and modified the application's web pages to display county data to switch between CCIS/FSFN data. Judge Perkins asked if the system had the capability to provide data from other counties and where the data comes from. George Roberts said the data is pulled from CCIS and the children are matched up with the different data sets by a unique identifier. A fuzzy match is used to link the CCIS records together. Clerk Rushing said there should be an indicator that notifies the clerks that a judge has said an individual is the same person. The clerks could make this notation in the system and be allowed to relate the cases together. Doug Bakke discussed the clerk of court adjusting their workflow process to create an action plan. The clerk added new data fields into Odyssey; configured new case status to coincide with the closing event of the case; related fathers to children; configured the new hearing type of shelter review; started entering the individual name of the Guardian ad Litem (GAL) that was assigned to the case; and set up file transfer to OSCA/FDCIS. In Hillsborough County, the clerk walks in and out of the courtroom without any paper. E-orders are very inexpensive to process. The Hillsborough County Clerk is working on a pilot project to fully automate domestic violence orders. Judge Bidwill asked who is preparing the orders in the courtroom. Judge Peacock said currently her judicial assistant is preparing the shelter orders, but hopefully, DCF will have limited access to JAWS and be able to generate the internally created shelter orders. This will be done in the

courtroom so there is no wait time. Everyone is electronically served the minute the judge signs the order. Chris Blakeslee said technologically the court communications and technology services created automated calendars; created electronic orders; and purchased new equipment. Judge Billbrey asked what the process is for rolling this system out to the other circuits. Judge Peacock said Mr. Bakke has the code and can provide it to any circuit wishing to have it. She also stated it would be easy for any clerk using Odyssey to implement the dependency automation system. Judge Munyon asked if the next step is to pilot this system in unified family court. Judge Peacock said she would like to do that because it is the most immediate place where families have other cases.

AGENDA ITEM V. Judicial E-Filing of Orders by Judges

Judge Munyon said at the August 3, 2017 FCTC meeting, the Commission approved on second reading a motion to recommend to the Supreme Court that judicial officers electronically file and serve orders through electronic means by September 1, 2018. Judge Munyon sent a letter to the Supreme Court and was invited by the Chief Justice to discuss the issue at the Chief Judge's Quarterly meeting. Chief Justice Labarga established the Judicial E-Filing Workgroup to recommend the process by which orders prepared in court by clerks will be handled; identify the strengths and weaknesses of filing proposed orders through the Portal versus a Court Application Processing System (CAPS); and develop a report on anticipated resources needed to implement judicial e-filing and submit it to the Trial Court Budget Commission (TCBC) for cost estimations. In accordance with the charges given to the workgroup, Judge Munyon established subcommittees to tackle each charge. Judge Ficarrotta discussed a survey that was sent to the trial court technology officers in each circuit to determine how orders prepared in court were handled. Judge Perkins said his subcommittee made recommendations on whether the Portal or CAPS should be used to file proposed orders. Because there are benefits to using the Portal and CAPS, it was decided a hybrid approach should be deployed. The Portal could be used to upload orders and distribute the signed orders to the CAPS systems. The Portal offers standardization while the CAPS systems have a variety of functionalities on viewing and processing orders. Judge Munyon said after these reports are finalized, the funding subcommittee can begin working on cost estimates for implementing judicial e-filing statewide. Murray Silverstein asked if the aspirational date of September 1, 2018 still stands. Judge Munyon said the report is due to the Chief Justice by September 30, 2018, and nothing will happen before then.

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

a. Alan Neubauer said Clay, Monroe, and Pasco counties do not have a CAPS system deployed. Clay is transitioning to a new CMS, Monroe is recovering from Hurricane Irma, but is working towards replacing its replica servers, and Pasco is working on a pilot for county civil. Mike Smith clarified that Clay was waiting on funding, but an administrative order is being signed for this. The clerks will start connecting ICMS to the clerk's existing CMS. Mr. Neubauer said Broward, Hillsborough, Palm Beach, and Pinellas counties are processing electronic orders via CAPS. There is a tremendous amount of progress moving forward with receiving and filing orders electronically.

b. Alan Neubauer discussed the CAPS systems deployed across the state. Currently, 29 counties use aiSmartBench; 26 counties use the Integrated Case Management System (ICMS); 5 counties use Benchmark; 4 counties use JAWS; and 3 counties have in-house systems.

AGENDA ITEM VII. Portal Progress Report

a. Carolyn Weber discussed the Portal usage statistics. In April, 2018, there were 1,371,493 submissions through the Portal, of which 1,369,210 were submissions to the trial courts; 692 were submissions to the Department of Corrections (DOC); 55 were submissions to the Second District Court of Appeal; 1,019 were submissions to the Florida Supreme Court; and 517 were submissions to the Bureau of Vital Statistics. The Portal has over 193,000 registered users. Ms. Weber noted some interesting facts: May 2017 had the highest volume day on May 31, 2017 at 74,102 submissions; January 2018 had the most submissions filed during the 3:00 P.M. hour at 8,531; March 2018 had the most new cases filed during a given month at 78,994; and April 2018 had the highest average submissions per weekday at 64,261. Over the past six years, the number of documents filed through the Portal increased from 1,248,076 in 2013 to 2,017,606 in 2018. The Portal received 1,246,072 scanned documents; 669,178 text based PDF documents; 103,845 Word documents; and 44 WordPerfect documents. On average, it takes 1.3 days to docket a filing. Roughly, 1.82% of filings were returned to the correction queue. Attorneys, judges, process servers, and self-represented litigants were the top filer roles in the Portal. Tom Hall asked about the number of judge accounts with the Portal. Ms. Weber said Portal users could have more than one account. For example, a judge could have an account and so could his/her judicial assistant. Judge Munyon said magistrates and hearing officers could also have judge roles. The number of self-represented litigants continues to grow. There are approximately 100,180 registered self-represented litigant accounts. Ms. Weber said four third-party vendors, (ABC Legal Services, Inc.; eFileMadeEasy; TSI Legal; and Turbo Court) are utilizing the Portal. The vendors submitted a total of 37,631 submissions. Ms. Weber went on to provide an update on submitting proposed orders through the Portal. Judges in 15 counties are receiving proposed orders electronically through the Portal. Judges in 33 counties are e-filing orders via CAPS to the Portal. Ms. Weber briefly discussed the following projects that the FCCC is currently working on: providing technical support to third-party vendors to help them implement system-to-system e-filing; working with the FCTC Portal Subcommittee to scope out the process for criminal case initiation; completed 90 day proof of concept for tenant eviction interviews; small claims interviews are available in Test for OSCA to review; working to clean up bad email addresses in the Portal; updated all User Manuals on the Portal web page in Release 2018.01; and creating a maintenance release list for July 2018.

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. In March 2018, the service desk received 3,215 customer service incidents of which 2,774 were attorney incidents; 11 were judge incidents; and 430 were self-represented litigant incidents. On average it took 17 minutes to respond to a customer service incident and 49 minutes to resolve. A total of 345 technical/system support incidents were received during March 2018. On average it took 24 minutes to respond to a technical/support incident and 4 hours and 27 minutes to resolve an incident. Ms. Weber showed the top 10 types of incidents the service desk received from attorneys, self-represented litigants and judges. The service desk continues to work on cleaning up pending filings and performing site visits to provide training and support.

c. Carolyn Weber discussed the Portal Release 2018.01. To name a few, this release included: removed the number of pages requirement uploading documents; increased the submission size to the Appellate Courts to 200MB; added case manager filer role to the e-service list; and enhanced the 'Emergency Filing' designation on the Trial Court Filing Path. It was noted that the ability to file

documents to multiple cases in one submission was moved to the next release to enhance even further.

AGENDA ITEM VIII. Appellate Portal Interface Update

John Tomasino gave a brief update on the Appellate Portal Interface. Clerk Tomasino said the goal is to have all of the appellate courts moved over to the Portal by the end of the calendar year. The Office of Information Technology staff is working with Carolyn Weber on testing the acceptance of large records on appeal and anticipates having this available by the end of 2018.

AGENDA ITEM IX. CCIS 3.0 Update

Maryanne Marchese discussed the metrics measuring CCIS use. Currently there are 50,162 active users; 167 agencies are using CCIS; 191,558 case searches have been executed; 412,294 person searches have been executed; and 619,118 document image requests. Ms. Marchese went over some of the CCIS initiatives in progress. SB 1392, which is the Criminal Justice Data Collection and Transparency Bill, requires Clerks and the FCCC to collect and report to FDLE approximately 60 data elements for each criminal case beginning January 1, 2019. Also, to comply with the Adult Diversion Programs, Clerks will be required to maintain personal identifying information as a confidential non-court record in a statewide data base, which must provide a single point of access. Another initiative is implementing AOSC17-47 Access Security Matrix into CCIS. Currently, clerk policy development regarding the matrix is in process so that programming can be complete. The estimated completion is the third quarter of 2018. Ms. Marchese noted AOSC16-15 UCR; SB 1392 Data Transparency; Electronic Alerts; SB 7026 Risk Protection Order; and PDF/A document storage all will have a future impact on CCIS. Mike Smith asked what electronic alerts was. Melvin Cox said the Legislature added language to a bill to look at a statewide system of electronic alerts. New York sends electronic alerts out to litigants about upcoming court dates. There are metrics that shows this cuts down on failures to appear. The OSCA and the Clerks of Court Operations Corporation (CCOC) are named in the proviso language as agencies who will be working on this initiative. Judge Perkins asked where he could get a list of the 60 data elements that will be collected in the criminal cases. Mr. Cox said the data elements are listed in SB 1392. Judge Perkins asked if any of the 60 data elements are not currently being collected and Mr. Cox said yes. The bill also lists other stakeholder requirements as well. Murray Silverstein asked what CCIS active users are. Ms. Marchese said those are the active federal, state, circuit, clerks, and judge users of CCIS. Mr. Silverstein asked if the statistics on case search was looking at the clerk's progress docket. Ms. Marchese said it could be any case that is sent to CCIS. Mr. Silverstein asked if a person wanted to look at a court file are they looking through CCIS. Judge Munyon said you go through the Portal to the individual clerk's database. Ms. Marchese said the stats are from someone logging directly into CCIS. Mr. Silverstein wanted metrics on those who would be looking at a court file to access the docket. Ms. Marchese said CCIS is reaching out to the clerk's database and pulling over the information in real-time. Mr. Silverstein stated that lawyers cannot log into CCIS. Ms. Marchese said lawyers will be able to log into CCIS after the implementation of the matrix.

Ms. Marchese gave a brief demonstration on the CCIS Business Analytics Project Dashboard. The total number of cases for the state is displayed. The cases are broken down by types, i.e., traffic, criminal,

civil, probate, etc. It also shows the percentage of total cases by case type. You have the ability to drill down further and see specific cases by case type, i.e., small claims and auto negligence. You can also see the number of cases by county. Additionally, there are metrics on the total number of cases by case status, i.e., open, closed, pending, reopened, etc. Judge Munyon asked if flagging data entry error was being built into the analytics. For example, if one county has metrics that are different from the vast majority of the state. Ms. Marchese said there is a dashboard that shows errors and warnings to help identify what is going on and to make fixes. Judge Perkins asked who would be the intended user of the dashboard and what would they be able to do. Ms. Marchese said they want to assign power users from the clerk's offices, the Legislature, and the courts. This will not be opened up to the public. Anytime someone needs information they can reach out to FCCC or one of the power users who are assigned. Mr. Silverstein inquired if lawyers would be power users. Ms. Marchese said they might, but it has not been discussed. Mr. Cox said clerks do a lot of reporting to CCOC. This would allow the CCOC to get those reports and metrics directly and save the clerks a lot of time.

Paul Jones discussed the metrics of CCIS: accuracy as defined by the data in CCIS matching the local CMS; timeliness as all clerk offices pushing changes in real-time; completeness to ensure all required data elements from the CMS is in CCIS; and consistency as far as integrity and long-term sustainability. A DQM framework consists of defining; analyzing; recommending; implementing; and sustaining. The Data Quality Workgroup; Reporting Workgroup; and Security Workgroup are helping with this effort. The data quality initiatives include the Power BI that Marchese spoke about, which is used to analyze reported issues for all county data transmissions; established daily data feeds; dashboard data can be sliced, sorted, summarized by multiple parameters; six weeks analysis which showed 7 million records per day on average with less than .1% error rate; enhanced data profiling and analysis reporting designed to provide proactive data quality management; working with all counties to provide quality analysis training and support; developing enhanced CCIS administrative manuals, training videos, and quality expectations; and initiated a third-party four month engagement to develop a Master Data Management Plan (MDM). Judge Perkins said certain errors will be generated when data is put in the system, i.e., incorrect date of birth, spelling of last name, but his perception is that those are not the big mistakes that the judiciary is seeing. The mistakes are not necessarily mistakes, but differences. For example, what is a closed case and an open case? Mr. Jones said this goes to consistency and sustainability. The definitions have to be the same. Karen Rushing said sometimes cases have outstanding motions and the clerks keep them open waiting for the case to reclose. Some of the clerks are actively working with their court on lack of prosecution and trying to bring those outstanding motions through a lack of prosecution effort to get that case closed again and some clerks may not be. There are differences in practice in the circuits and counties. The courts and clerks need to work together for uniformity. Judge Perkins said if someone does not show for a trial and a warrant is issued, that case will remain open until the person is picked up and the case is tried. The case is open; however, it is a mischaracterization of the status of the case. It may be required for other purposes. The CAPS systems may be able to report those cases as open as opposed to active. This could generate a report that would be useful to the trial judge as opposed to just meeting the statutory definition. Clerk Rushing agreed and said the clerks have to report on judge activity and collection to the Legislature. The report can show millions of dollars not being collected, so the clerks decided to add a caveat to the report saying of the total amount of money owed, this amount is from individuals in jail for a certain amount of time. Clerk Rushing encouraged the court to not come up

with words that are not intuitively understood. Judge Perkins asked if that process would happen with the FCTC. Judge Munyon said that would happen with the Commission on Trial Court Performance & Accountability (TCP&A), which establishes the standards. Mike Smith said the Judicial Data Management Services (JDMS) report lays out case statuses. If the FCTC is saying there should be other case statuses, or if the case statuses does not fit what the clerks are doing, that should be addressed first. Judge Munyon said there are definitions that have been put out by OSCA, but clerks interpret those differently across the state; therefore, you will have different reporting across the state. OSCA and TCP&A are looking at tightening down the definitions to eliminate room for interpretation. Judge Hilliard said it is important to use a common vernacular and have a way to correctly analyze the data to communicate so the citizens of Florida can see that the judges are doing their job. Judge Perkins asked if the final report would show the reduction in human errors as well as other items that require attention. Mr. Jones said absolutely.

AGENDA ITEM X. Rules of Judicial Administration Update

Judge Stephens said there is a proposed rule on how to identify a judicial signature in contrast with other kinds of signatures. He asked the FCTC members to look at the proposed rule and let him know if there were any comments. All of the proposed rules deal with electronic filing and service. The next step is to submit the packet the Supreme Court for comments.

AGENDA ITEM XI. Appellate Court Technology Commission (ACTC) Update

Judge Northcutt said the ACTC is revamping the appellate courts' websites. The Fourth DCA served as the pilot court. The ACTC is scheduled to meet to discuss an implementation plan and funding for the other DCAs.

AGENDA ITEM XII. Criminal Case Initiation Workgroup Update

Judge Bidwill said the workgroup was tasked with evaluating the viability of using the Portal to initiate criminal cases. Late last year, the workgroup submitted a survey to clerks to evaluate the interest in implementing criminal case initiation. Additional stakeholders, which included the Florida Department of Law Enforcement (FDLE) were invited to participate in the workgroup. The workgroup had a productive meeting on May 9, 2018. Brevard demonstrated how they currently use the Portal to initiate non-arrest criminal cases. Judge Bidwill urged individuals to contact Carolyn Weber if they are interested in pursuing this functionality, as it is currently available through the Portal. Hillsborough presented how their CJIS partners (sheriffs, court, clerks, state attorneys, and public defenders) work together and have a synchronized system. After viewing the presentations, and based upon the surveys, the workgroup determined there are a number of hurdles in utilizing the Portal for criminal case initiation, i.e., funding, training requirements, workload issues, to name a few. Additionally, there is disparity in the data elements and the statutory tables used for charging criminal cases statewide. There seems to be sentiments in favor of using the Portal for criminal case initiation, but there are several items that need to be accomplished before that can occur. To benefit everyone, standards need to be established in order to use the Portal in an extensive, universal way. A data element workgroup was formed to identify a uniform set of criminal data elements and evaluate workload impacts, as well as workflows.

AGENDA ITEM XIII. Portal Subcommittee Update

a. Judge Bidwill discussed a request to re-evaluate the portion of the Portal where the filer designates the filing as an emergency. This option is currently at the end of the process and requires the filer to answer four inquiries. The subcommittee determined this slowed down the process and possibly created issues as the information is being sent from the clerk to the court.

Motion to correct the emergency designation to be moved to the top of the review and submit page and provide only an option for the filer to identify the submission as an emergency filing. Remove the critical date, emergency description, and time sensitive options.

MOTION OFFERED: Judge Martin Bidwill
MOTION SECONDED: Murray Silverstein
MOTION CARRIED UNANIMIOUSLY

Judge Bidwill said in order to include the motion in the next Portal release, he would request the Commission suspend the normal requirement of first and second reading on the motion.

Motion to request the FCTC suspend the normal requirement of first and second reading to allow the FCCC to include the update in the next Portal release.

MOTION OFFERED: Judge Martin Bidwill
MOTION SECONDED: Judge Josephine Gagliardi
MOTION CARRIED UNANIMIOUSLY

Judge Bidwill asked Melvin Cox to give an update on the PDF/A Portal Change Order. Mr. Cox said the E-Filing Authority will be addressing the change order at its June 27, 2018 meeting.

AGENDA ITEM XIV. Operational Procedure Review Workgroup Update

Judge Gagliardi presented the final draft of the Operational Procedures. She went over the minor changes made at the Workgroup's May 10, 2018 meeting. Judge Gagliardi also discussed the *Request to Speak* form. This form would be used for individuals who would like to speak at the FCTC meetings. The form asks for the agenda item the person is speaking about, if they are for or against the agenda item, who they are representing, and if they are appearing at the request of the Chair of the FCTC.

First Reading: Motion to adopt the *Request to Speak* form.

MOTION OFFERED: Judge Josephine Gagliardi
MOTION SECONDED: Judge Stevan Northcutt
MOTION CARRIED UNANIMIOUSLY

Second reading: Motion to adopt the Florida Courts Technology Commission Operational Procedures.

MOTION OFFERED: Judge Scott Stephens
MOTION SECONDED: Tom Genung
MOTION CARRIED UNANMIOUSLY

AGENDA ITEM XV. Security Subcommittee

Judge Munyon withdrew this from the agenda. She would like to refine the definition before formally constituting the subcommittee and asking for volunteers.

AGENDA ITEM XVI. Access Governance Board Update

Judge Hilliard briefly discussed a request received from the Guardian ad Litem to update the *Standards for Access to Electronic Court Records* and the *Access Security Matrix*. The Board is trying to give the Guardian ad Litem the access they need to do their work while maintaining the strictures of the rules and the laws.

First Reading: Motion to ask the Guardian ad Litem to provide documentation on internal operations, and review by the OSCA General Counsel on authority to provide agency access. The issue will be moved on to the FCTC for consideration based upon further research and documentation.

MOTION OFFERED: Judge Robert Hilliard
MOTION SECONDED: Clerk Karen Rushing
MOTION CARRIED UNANMIOUSLY

Judge Hilliard asked Mike Smith to give an update on perpetual attorney access. Mr. Smith said in some systems attorneys have indefinite access, even though technically and legally they are no longer the attorney of record. Mr. Smith would like the clerks to flag the attorneys as inactive and not just remove them from cases for which they are no longer the attorney of record. Some clerks currently do this while others do not. John Stewart said attorneys have the ability to remove themselves from service on the Portal, so he wanted to know if this will have an effect on service. Clerk Rushing said no because the clerks will only inactivate an attorney after a case is closed. Judge Munyon said the intent of the motion is when an attorney withdraws or their appearance ends by the ending of a case without an appeal, the attorney will revert to registered user access and can no longer see confidential information in the case. Tom Hall said if an attorney moves to withdraw and the court grants that motion that should trigger the attorney to be removed from the service list. Judge Munyon said there is not an automatic mechanism for attorneys to be removed off the service list. Someone has to remove them and that is usually someone associated with the case. Jean Sperbeck said the Portal is not tied to the clerk's case maintenance system; therefore, an attorney will not come off of the Portal's service list unless someone takes them off. Mr. Stewart said because of that disconnect, it appears attorneys are receiving confidential information on the case even when they are not supposed to. Judge Munyon said the responsibility is on the person serving the case to accurately serve the individuals. Mr. Smith reiterated that this is to address cases that have been closed. Mr. Hall said if a motion is filed to reopen the case, there is a question on whether the attorney would also have to file a new Notice of Appearance. Filing a motion to

reopen a case does not make you counsel of record. Mr. Silverstein said service would have to be effectuated again. Judge Munyon said the RJA is addressing the attorney appearance rules and the FCTC should have a better resolution of those eventually.

First Reading: Motion to update the Attorney of Record User Role in the *Standards for Access to Court Records* to state, “access will be changed to Registered User when the attorney’s appearance is terminated in accordance with Rule 2.505.”

MOTION OFFERED: Judge Robert Hilliard

MOTION SECONDED: Mike Smith

MOTION CARRIED UNANIMOUSLY

AGENDA ITEM XVII. Certification Subcommittee Update

Judge Perkins said Mentis Technology, Pioneer Group, the Eighth, Thirteenth, Fifteenth and Seventeenth Judicial Circuit were certified to CAPS 4.0. The certification subcommittee will begin the process of updating the Functional Requirements for CAPS in the coming months. In particular, the certification subcommittee will change the definitions throughout the document. The CAPS systems have certain reporting capabilities and the subcommittee uses definitions to describe information to be captured. The subcommittee has found that there are definitions adopted by the Supreme Court in regards to some of the key phrases in the CAPS functional requirements and the Supreme Court’s definitions do not mirror the CAPS definitions. The subcommittee is of the opinion that some of the information that the CAPS systems are capturing will be useful to a trial judge trying to manage a docket. The certification subcommittee may change some names and retain certain reports as part of its recommendation even though the Supreme Court does not require the information to be captured. Judge Perkins would like the FCTC to email him if there are report items or case metrics that should be captured through the CAPS systems that would help judges better manage their docket.

AGENDA ITEM XVIII. Clerk’s Case Maintenance System (CMS) Functional Standards

Workgroup

Judge Munyon said she is in the process of forming a CMS Functional Standards Workgroup to develop functional standards for the clerk’s CMS. Judge Gagliardi has graciously agreed to chair this workgroup. Judge Munyon encouraged attendees to email her or Judge Gagliardi if they are interested in participating on the workgroup.

AGENDA ITEM XIII. Technical Standards Subcommittee Update

a. Chris Blakeslee said the Technical Standards Subcommittee developed a standard for Backup of Electronic Records. The subcommittee made minor changes regarding hardened CAT 5 facility and redundant backups.

Second Reading: Motion to approve the *Backup of Electronic Records Standards*.

MOTION OFFERED: Chris Blakeslee

MOTION SECONDED: Judge Robert Hilliard

MOTION CARRIED

b. Mike Smith discussed the PDF/A motions that are ready for second reading. Mr. Smith moved approval of all three PDF motions at one time.

Second Reading: Motion to recommend that the court work with the clerks and FCCC so the record copy will be a PDF/A document which will retain the original intelligence. The redacted copy will not be required to maintain the original intelligence. The clerks will need to follow acceptable ADA requirements with on demand redacted documents.

Second Reading: Motion to recommend a two-year timeframe for clerks to implement PDF/A storage of court documents after the Supreme Court approval of technical standards. Clerks may request an extension for good cause to the Supreme Court.

Second Reading: Motion to recommend that digital signatures and electronic notarization (or anything with a digital hash) are not required. However, if they are included in the PDF, the signatures will be flattened. The technology to maintain those processes will not be required.

MOTION OFFERED: Mike Smith

MOTION SECONDED: Judge Robert Hilliard

MOTION CARRIED

c. Mike Smith discussed draft standards for document filing and storage. The document filing standard describes the way the Portal will convert documents that are not filed in PDF/A format. This lays out the standard so we can move towards getting PDF/A documents into the clerk's CMS. Judge Stephens said the proposed changes to the RJA will push the PDF/A requirement to the front burner.

First Reading: Motion to adopt the Document Filing standard.

MOTION OFFERED: Mike Smith

MOTION SECONDED: Tanya Jackson

MOTION CARRIED

Mr. Silverstein raised the issue of specifically referencing PDF in proposed Rule 2.520. The standards will evolve over time and it is easier to update a standard than a rule. Mr. Silverstein would like to amend proposed Rule 2.520 to remove the reference to PDF and reference the standards instead.

First Reading: Motion that the Document Filing standard be sent in conjunction with the proposed amendments to proposed Rule 2.520(b) back to the Rules of Judicial Administration Committee for their consideration.

MOTION OFFERED: Murray Silverstein

MOTION SECONDED: Tanya Jackson

Judge Stephens said he does not think this is possible. The proposed rules have already been through second reading and are ready to go before the Supreme Court. The best way to get the rule amended is to file a comment once the rules packet is in front of the Court. Mr. Hall said according to the new guidelines, this issue cannot be raised because it did not go before a subcommittee first. After more discussion, Mr. Silverstein withdrew his motion. Judge Munyon referred the issue to the Joint FCTC/RJA Workgroup.

MOTION WITHDRAWN

Mr. Smith continued giving an update on the Technical Standards Subcommittee. He discussed a draft standard for document storage format. This standard stems from the *Standards for Electronic Court Documents* created by the Document Storage Workgroup. This is a day-forward standard so clerks will not have to go back and change the existing images in the CMS. To accommodate the different ways clerks handle redaction, the standard allows clerks to flatten PDFs to use their current redaction system.

First Reading: Motion to adopt the Storage of Electronic Court Documents standard.

MOTION OFFERED: Mike Smith

MOTION SECONDED: Chris Blakeslee

MOTION CARRIED

AGENDA ITEM XV. Other Items/Wrap Up

a. Roosevelt Sawyer Jr. gave informational updates on technical initiatives that will require some level of an enterprise approach as to how they are implemented in the courtroom. SB 1392 was signed by the Governor on March 30, 2018. This bill directs the DOC to develop a digitized criminal scoresheet in consultation with the OSCA, the state attorneys and the public defenders. The revised digitized criminal scoresheets must be submitted to the Supreme Court for approval by June 15 of each year, as necessary. The OSCA wants to ensure when this initiative is implemented it does not impede on courtroom proceedings. Thus far, the approach has been from a technical standpoint, but the OSCA understands there is a business workflow and standards would have to be developed. For example, will there be a separate application and will the digitized scoresheet be implemented or integrated into the CAPS systems? Judge Perkins said a representative from DOC participated in the Certification Subcommittee meeting on May 4, 2018. They said the initiative will not happen this year. Judge Perkins said he requested that DOC also make the same proposal with regards to digitizing probation orders. He said it would be nice to receive those orders electronically through CAPS and go directly into the signing queue. Judge Bidwill said in order to move to the next level, the digitized scoresheets have to go through the CAPS systems.

b. Roosevelt Sawyer Jr. said OSCA is in partnership with FDLE to request federal funding to implement a fingerprint scanners in the courtroom. The proposed project will consist of pilots in the 5th, 7th, 17th, and 19th judicial circuits. The two main objectives are to move from paper to

electronic fingerprints in the courtroom and to improve the quality, completeness and accessibility of the criminal history record information. The pilot circuits will work with the clerks and sheriff's offices to purchase fingerprint equipment to implement the digital fingerprint solution. The solution will allow courts to verify the identity of the defendants at various points within the trial process and associate those digital fingerprints at the time of sentencing. Mr. Sawyer acknowledged Tom Genung and his excellent leadership on this initiative. Mr. Genung said he hopes the bills move through the House and the Senate. He is optimistic that the money will be received and anticipates launching the initiative in the summer of 2019. Mr. Genung said the vision is to get digital fingerprint readers in all of the courtrooms throughout the State to digitize the judgments and sentences. Following that is digitizing the process by which clerks send information to DOC. Judge Bidwill inquired if there is a sentiment for the commitment packet to be completely electronic. Carolyn Weber said the reception centers can currently receive the commitment packets electronically as the functionality is already in the Portal. She has been working with DOC and the sheriffs. The clerks will send their documents to the sheriffs, the sheriffs will compose one PDF document in the format DOC wishes to receive them, those documents can be submitted through the Portal directly to the reception centers, DOC takes control over when they want to receive those individuals and works directly with the appropriate reception centers. Ms. Weber said although the functionality is there, it is not being utilized because there is resistance from the sheriffs to create the PDF. Ms. Weber said the FCCC is working with DOC. The DOC is in the process of getting the equipment they need at the reception centers to be able to view the documents. Ms. Weber has a list of pilot counties that DOC wishes to work with at the reception and medical center. Hopefully, the sheriffs will get on board and these documents can be submitted electronically through the Portal.

c. Alan Neubauer said there is a joint effort between TCP&A and the TCBC to provide remote interpreting services as a part of a due process requirement. The Due Process Technology Workgroup has been working on a technical solution to be able to provide those services. A pilot was conducted and now the solution is being implemented in ten circuits. The workgroup anticipates developing standards as this solution is implemented across the State. There is a budgetary, a technology, and a business process component to ensure what is implemented will work inside the courtroom. In the past, some solutions that were worked on by other majoring governing bodies would set their own technical standards. The OSCA wants to ensure any standards built around technology comes before the FCTC.

d. Judge Munyon advised everyone the next FCTC meeting is scheduled for August 2-3, 2018 in Miami. There being no further business, Judge Munyon asked for a motion to adjourn the FCTC meeting.

Motion to adjourn the FCTC meeting

MOTION OFFERED: Judge Josephine Gagliardi

MOTION SECOND: Tanya Jackson

MOTION CARRIED UNANIMOUSLY