



**Judge Judith L. Kreeger, Chair
Florida Courts Technology Commission
c/o Office of the State Courts Administrator
500 S. Duval Street, Tallahassee, Florida 32399-1900**

April 8, 2011

The Honorable Charles T. Canady
Chief Justice, Supreme Court of Florida
Supreme Court Building
500 South Duval Street
Tallahassee, Florida 32399-1900

RE: Florida Courts Technology Commission Yearly Report

Dear Chief Justice Canady:

I write to you as Chair of the Florida Courts Technology Commission (Commission) to provide a status report on the activities of the Commission. Rule 2.236, adopted in July 2010, directs the Commission to prepare an annual report of its activities, and include recommendations for changes or additions to the technology policies or standards of Florida courts, its recommendations for setting or changing priorities among the programs within the responsibility of the Commission, changes to rules, statutes, or regulations that affect technology in Florida courts and the work of the Commission.

This report, which summarizes the work of the Commission from July 2010 through March 2011, is separated into three sections

- I. Charges, Membership and Organization of the Commission
- II. Committee Activities
- III. Recommendations

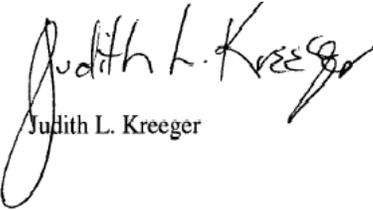
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As you will find documented in this report, the courts have made immense strides in matters related to technology. It has been an honor and a privilege to contribute to these advancements and collaborative accomplishments for the state courts system and judicial branch as a whole.

Sincerely,



Judith L. Creeger

Enclosure

cc:

Justice Barbara J. Pariente

Justice R. Fred Lewis

Justice Peggy A. Quince

Justice Ricky L. Polston

Justice Jorge Labarga

Justice James E.C. Perry

Lisa Goodner, State Courts Administrator

I. Charge, Membership and Organization of the Committee

The current Florida Courts Technology Commission (the Commission) was formed pursuant to Rule 2.236, Florida Rules of Judicial Administration on July 1, 2010. The present Commission was created as a successor to the prior Florida Courts Technology Commission, whose general mission was and is to advise the Chief Justice and Supreme Court on matters relating to the use of technology in the judicial branch. The Commission has staggered initial membership terms of 1, 2, or 3 years, to ensure continuity and experience on the Commission. Initial terms may be extended for three year terms thereafter.

Charges

The Commission is charged with specific responsibility to:

1. Make recommendations to the supreme court on all matters of technology policy impacting the judicial branch to allow the supreme court to establish technology policy in the branch.
2. Make recommendations to the supreme court regarding policies for public access to electronic court records.
3. Make recommendations to the supreme court about the relative priorities of various technology projects within the judicial branch so that the supreme court can establish priorities. The commission should cooperate with the Trial Court Budget Commission and District Court of Appeal Budget Commission to secure funds for allocation of those priorities.
4. Direct and establish priorities for the work of all technology committees in the judicial branch, including the Appellate Court Technology Committee, and review and approve recommendations made by any court committee concerning technology matters or otherwise implicating court technology policy.
5. Establish, periodically review, and update technical standards for technology used and to be used in the judicial branch to receive, manage, maintain, use, secure, and distribute court records by electronic means, consistent with the technology policies established by the supreme court. These standards shall be coordinated with the strategic plans of the judicial branch, rules of procedure, applicable law, and directions from the supreme court, and shall incorporate input from the public, clerks

- of court, supreme court committees and commissions, and other groups involved in the application of current technology to the judicial branch.
6. Create procedures whereby courts and clerks and other applicable entities can apply for approval of new systems, or modifications to existing systems, that involve the application of technology to the receipt, management, maintenance, use, securing, and distribution of court records within the judicial branch, and between the public and the judicial branch.
 7. Evaluate all such applications to determine whether they comply with the technology policies established by the supreme court and the procedures and standards created pursuant to this rule, and approve those applications deemed to be effective and found to be in compliance.
 8. Develop and maintain security policies that must be utilized to ensure the integrity and availability of court technology systems and released data.
 9. Ensure principles of accessibility are met for all court technology projects with consideration and application of the requirements of the Americans with Disabilities Act of 1990 and any other applicable state or federal disability laws.
 10. Ensure that the technology utilized in the judicial branch is capable of required integration
 11. Periodically review and evaluate all approved technology in the judicial branch to determine its adherence to current supreme court technology policies and standards
 12. Review annual and periodic reports on the status of court technology systems and proposals for technology improvements and innovation throughout the judicial branch
 13. Recommend statutory and rule changes or additions relating to court technology and the receipt, maintenance, management, use, securing, and distribution of court records by electronic means
 14. Identify technology issues that require attention
 15. Coordinate proposed amendments to rules of court procedure and judicial administration necessary to effectuate the commission's charge with appropriate Florida Bar rules committees.

Membership

The Commission consists of twenty-five members:

The Honorable Judith L. Kreeger, Chair

The Honorable Mary Cay Blanks

Dr. Dale A. Brill

The Honorable Sheree Davis Cunningham

The Honorable Jim Fuller

Mr. Tom Genung

The Honorable Robert Hilliard

Dr. Charles C. Hinnant

The Honorable James B. Jett

The Honorable C. Alan Lawson

Ms. Jannet Lewis

Mr. Laird A. Lile

Mr. Ted McFetridge

Mr. Dennis Menendez

The Honorable Manuel Menendez, Jr.

The Honorable Lisa Taylor Munyon

Mr. Ken Nelson

The Honorable Stevan T. Northcutt

Ms. Carol Ortman

Mr. Paul R. Regensdorf

The Honorable George S. Reynolds

The Honorable Karen Rushing

Mr. Murray B. Silverstein

Mr. Kent Spuhler

The Honorable Scott Stephens

Organization of the Work of the Commission

The Commission has held two in-person meetings since the adoption of Rule 2.236 in July 2010. Shortly after the first Commission meeting in October 2010, the chair organized the work of the Commission by creating and assigning tasks to eight subcommittees and work groups, each assigned to a different focus area. In addition, the rule specifically establishes the Appellate Courts Technology Committee as a standing committee of the Commission. In the Rule 2.236 opinion, the Court specifically directed the Commission to establish the E-Filing Committee as a subcommittee of the Commission. The Chair prioritized the work assignments of the subcommittees and work groups in order to enable the Commission and its support staff to perform them at a rate that is manageable with the existing constraints of staff and travel. Through the committees, subcommittees and work groups, the Commission has taken on a number of projects over the past few months. These groups and the Commission as a whole have devoted considerable time and effort to issues related to implementing statewide e-filing. Those issues directly relate to the work of the E-Filing Committee, the Appellate Courts Technology Committee, and the Portal Committee.

Current fiscal constraints have substantially impacted the work of the Commission. Reductions in personnel during the last several fiscal years caused a loss of primary staff that supports the Commission to such an extent that remaining staff have to spread themselves too thin over broader areas of responsibility. In addition, the Commission continues to operate under a restricted travel budget. Technology is not static but it continues to evolve quickly, and it is vital that Commission members and OSCA staff keep abreast of developments in the field. The Commission continues to make full use of email, videoconferencing and conference calling to conduct its work. However the chair and members adamantly believe that there is no substitute for in-person discussions when trying to forge a common understanding of complex issues among members of every branch of state government and some private entities.

The Commission's work related to tasks assigned to it is described in Section II. Subcommittee and Work Group Activities.

II. Subcommittee and Work Group Activities

A. Operational Procedures Subcommittee

Rule 2.236 directs the Commission to establish operating procedures necessary to carry out its responsibilities. The Operational Procedures Subcommittee discharged its responsibility by drafting a document that fully complies with subsection (c) of the Rule. The document was presented to the Commission at its first meeting, modifications were incorporated, and the procedures were approved by the Commission at its February 2011 meeting. The operational procedures document is attached to this report, and by this report, the chair requests that the Court approve it.

B. E-Filing Committee

The current E-Filing subcommittee is the successor to the E-Filing Committee that was established in 2007 (AOSC07-63). The membership term was extended in 2009 (AOSC09-50). The E-Filing Subcommittee is charged with: **1)** Reviewing 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)** Reviewing 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. **3)** Reviewing 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 the Supreme Court. **4)** Reviewing any other issues relating to the implementation of electronic filing systems that this Commission or the Committee deem appropriate. **5)** Reviewing any request from the clerk of court or chief judge for permission to discontinue follow-up filing of documents in paper form.

The committee worked with a work group of court staff to update the e-access standards and recommend revisions to be adopted by the Commission. The previous version of the standards was adopted in 2009 and with the expectation of statewide e-filing through the newly identified statewide e-portal, updating the document was a critical priority. In February 2011 the Commission voted unanimously to adopt the Statewide Standards for Electronic Access to the Courts, Version 3.0. The Commission recognized that this will continue to be an evolving document as e-filing is fully implemented. The committee plans to continue to work closely with court and clerk staff, as well as judicial branch partners to update the standards as needed.

Electronic filing commenced through the statewide ePortal in early January 2011. As of March 2011, ten counties – Collier, Columbia, Duval, Gulf, Holmes, Lake, Lee, Miami-Dade, Putnam, and Walton – receive filings electronically. Between January 3rd, when the first county went “on-line”, and March 14th, filers filed a total of 1,447 documents using the statewide portal. According to the Florida Association of Court Clerks and Comptrollers (FACC), it is anticipated that within a few weeks, eight additional counties will begin to allow attorneys to file through the portal. As of March 2011, all 67 Florida counties have submitted their plans for electronic filing in some or all of their divisions and courts. Two appellate courts – the First and Fifth – also submitted plans that were approved by this Commission. The E-filing Committee continues to monitor technology projects in courts statewide. At the February 2011 meeting the Commission recommended an expansion to this committee, which would expand the duties as well as the membership. A request outlining the the expanded duties will be submitted to the Court from the chair of the commission.

C. Appellate Courts Technology Committee

At the final meeting of the previous Commission, held on May 20, 2010, the chair of the Appellate Courts Technology Committee reported to the Commission that the First District Court of Appeal is piloting an e-filing system. The Fifth District Court of Appeal will receive funding to purchase hardware and software and is prepared to implement the e-filing system in use in the First District. In addition, the Information System Services (ISS) unit within the Office of the State Courts Administrator is developing a case management system

that would interface with the statewide portal. The Supreme Court and the Second District Court of Appeal are prepared to pilot this system. The Commission approved the pilot programs with the caveat that an evaluation be presented to the Commission at the conclusion of Phase I.

At the February 2011 meeting of the Commission there were demonstrations of both the eFACTS solution (expected to be piloted in the Second District Court of Appeal and Supreme Court) and the iDCA/eDCA solution, currently in use by the First District Court of Appeal and anticipated to be piloted in the Fifth District Court of Appeal.

The eFACTS solution is two-fold. The case management portion closely matches the current Case Management System (CMS) interface, and the electronic voting (eVote) portion closely matches the current Supreme Court eVote system. It was reported at the February meeting that a move to the eFACTS solution will be advantageous for a number of reasons (1) the eFACTS integrates electronic document management, (2) the current CMS is client-based, whereas the FACTS system is web-based, which allows remote access to the eFACTS system 24 hours a day, 7 days a week, (3) predefined and customizable electronic workflows and forms are built into eFACTS, (4) a lot of interaction can happen because eFACTS is built on Microsoft platform, and (5) it has the ability to associate a document to a docket, which the current CMS does not. OSCA staff continues to develop the eFACTS system and is working closely with this committee, as well as with other subject matter experts. In April 2011, the Supreme Court will begin user testing. Also in April, the Second District Court of Appeal will begin configuration, and eFACTS phase I will be ready to run parallel with current business processes in the two pilot courts. It is anticipated that phase II of the FACTS project will begin in May.

The iDCA/eDCA solution is composed of three closely linked portals – the iDCA (internal DCA), eDCA (external DCA), and the Case Review System, which each allow users to complete actions that are specific to their roles. The iDCA allows employees of the court to have convenient and quick access to almost any component of a case. iDCA combines basic case information, the docket, the correspondence file, and workflow “task lists” for all cases currently filed with the court. It also provides archival information for cases that have already been decided. Over two million pages of documents are available through the iDCA portal.

eDCA allows any customer of the First District Court of Appeal direct access, via the internet, to digital copies of all documents in a case where that customer is a party or attorney. eDCA requires users to register for secure access to the documents. After registration is approved, a user has access to his/her account from any computer with an internet connection. Through eDCA the user can also access CaseMail and Brief Search. CaseMail provides immediate notice, via e-mail, of any filings or actions in every case associated with the user. Brief Search provides attorneys access to any brief filed in any case, as permitted by law or Rule. The iDCA portal provides access to and filings for the case processes that are required before the case reaches “maturity.” After all documents have been filed, motions heard, orders granted, and the case is ready for merit panel assignment it will progress into the Case Review System portal. In this system each case has a “case site” which includes all information required for a law clerk to summarize a case and for any merit panel to circulate draft opinions, vote, and otherwise make decisions in the case.

Minor refinement and development continues on the iDCA/eDCA portion of the system, but budget limitations have slowed additional development of the Case Review System component. The iDCA/eDCA portion of the system is in full production use and the Court’s Clerk’s office and IT staff were recently awarded two Davis Productivity Awards for the development and deployment of the iDCA/eDCA system at the First District Court of Appeal.

D. ePortal Subcommittee

The previous Commission recommended as part of the implementation of e-filing that the chair of the successor Commission reconstitute the data elements work group, with continued collaboration with the clerks of court. That work group was to continue the work of defining the data elements that should be captured and those that should be stored. Its tasks are being assumed by the newly created ePortal subcommittee of this Commission.

The ePortal subcommittee works with the E-Filing Authority Board and the FACC on the development of and modifications to the statewide e-filing portal (“portal”). The data elements work group of the previous Commission identified envelope data elements for the probate and dependency divisions, and is working on identifying the data elements needed on the filing envelope for the remaining court divisions. Envelope elements for Probate, Circuit

Civil, County Civil, Family, and Juvenile Dependency have been identified and are currently being captured by the portal. The subcommittee is working on finalizing the envelope data elements for the traffic and criminal divisions (Circuit Criminal, County Criminal, Criminal Traffic, Civil Traffic, and Juvenile Delinquency). It is expected that this subcommittee will present its identified elements to the FCTC for approval at the May 2011 meeting.

The subcommittee has also been directed to pilot the portal and give suggestions to OSCA staff, who will bring those suggestions to the attention of the FACC. The FACC will then work with the E-Filing Authority Board to determine an appropriate plan of action (e.g. system modification).

E. Trial Court Integrated Management Solution (TIMS) Subcommittee

The TIMS project is a multi-year, multi-phase project. The managerial aspect of the project will be completed by the Commission on Trial Court Performance and Accountability and the Court Statistics and Workload Committee. These two groups are in the process of developing recommendations for the standardized information that judges, case managers, and other staff need to access and track in order to move cases efficiently and effectively through the trial court process. They are also developing standardized essential caseload and workload information at the circuit and statewide reporting levels, to enable performance monitoring and resource management. In the course of this work, they will survey current practices in the trial courts.

The previous Commission recommended that the chair of the successor Commission appoint a committee or work group composed of clerks and court staff to examine the functionality of existing “judicial dashboards” with the view to assessing the feasibility of using local clerk case maintenance systems to satisfy the court’s basic case management needs and of developing a model “judicial dashboard” that would satisfy those needs. Over the next few months the TIMS committee will be involved in reviewing existing “judicial dashboards” and case maintenance systems in an effort to develop a recommendation for the most feasible technological approach to developing an automated system that meets the needs of judges, case managers, and other staff.

F. Funding Subcommittee

The chair of the Commission created the funding subcommittee to identify presently available and potential funding sources for current and future technology projects. The charge to this subcommittee is two-fold: determine the cost of a statewide integrated computer system and identify the presently available and potential income streams and other resources to pay for such a system. Due to limited funding, the committee has been working with the National Center for State Courts to identify alternative funding to engage a consultant who would complete a thorough analysis of the current structure of local funding for technology projects, the cost of maintaining projects that are presently planned, such as TIMS, appellate courts solution, and the statewide e-portal, and the total anticipated cost of fully implementing a statewide integrated computer system that enables the judicial branch to acquire, maintain and distribute court records electronically. The Commission expects to receive a proposal from the National Center for State Courts outlining a plan for completing a cost analysis, as well as identifying an implementation and integration strategy prior to the May 2011 Commission meeting.

G. Technical Standards Subcommittee

The technical standards subcommittee is currently updating the Integration and Interoperability (I&I) document as well as considering PDF/A as a potential standard file type. The federal government is expected to use PDF/A as the standard file type with the next version of their e-filing system, PACER. PDF/A holds fonts, colors, digital signatures and is 508 compliant. The subcommittee chair contacted the IT Specialist for Policy and Planning with the Administrative Office of the US Courts to discuss their implementation of the standard into the PACER system and to learn about the challenges they encountered. At the discretion of the Commission chair, a few of the other subcommittees will be asked to participate in a future meeting with the IT Specialist to further the discussion. After completion of the I&I update, they will move forward to update other standards documents, e.g. Digital Court Reporting standards, security standards, etc.

H. Annual Reports Subcommittee

As reported at the February 2011 meeting, the annual reports subcommittee will undertake the Technology Operation Plan as one of its first initiatives. The Technology Operation Plan should change from a report to an inventory that would tie into the Integration and Interoperability document. This subcommittee will also identify what reports are needed to enable the Commission to continue assessing the courts' statewide technology needs. This assessment will assist the Court in reporting to the legislature what the judicial branch needs in order to stay abreast of current technology so that courts can work most effectively and efficiently.

I. Education and Outreach Subcommittee

Education remains a top priority of this Commission. The Education and Outreach subcommittee has been tasked with developing and assisting in developing outreach and educational programs that provide information regarding new procedures and court rules that are adopted in the course of implementing statewide e-filing and the use of the statewide e-portal. The Florida Conference of Circuit Judges has allotted time for technology related issues to be presented during their plenary session at the 2011 summer conference. The Commission continues to encourage its members to assist in outreach to the judicial branch and its various partners. Additionally, the previous Commission recommended continued education surrounding confidentiality of court records, specifically rule 2.420. The Florida Bar is currently offering a free on-line course, Redacting Confidential Information, and the Commission looks forward to additional opportunities to partner with the Florida Bar and other groups to expand the knowledge base of all users of Florida courts.

J. Rules and Access Subcommittee

This Commission was charged with making recommendations to the Supreme Court regarding policies for public access to electronic court records, thus continuing the effort to implement certain recommendations of the Committee on Privacy and Court Records (Privacy Committee). The Commission continues to explore all issues relating to user access fees and funding models through its Funding Subcommittee. The Commission also

continues to discuss the issue of requiring system users to provide identification information and developing a unique identifier for each user.

Subcommittee on Access to Court Records

The charges to the Commission were supplemented in January 2009, when then-Chief Justice Quince directed the Commission chair to create the Subcommittee on Access to Court Records (the Subcommittee) for the limited purpose of serving as a successor to the Committee on Access to Court Records (Access Committee) in advancing two rules petitions filed by that body. (*AO09-3, In Re: Florida Courts Technology Commission, Subcommittee on Access to Court Records.*)

The Subcommittee was duly created and has served in that capacity. The first petition filed in SC07-2050, *In Re: Amendments to Florida Rule of Judicial Administration 2.420*, was disposed of by opinion on April 1, 2010, adopting the proposed rule. This rule reforms the process for identifying and protecting confidential information in court files. The second petition concerns the comprehensive initiative to amend rules of court in all practice areas with the intention of minimizing the inclusion of personal information in court records when such information is not needed for purposes of adjudication or case management. (See *SC08-2443, In Re: Amendments to Florida Rules of Civil Procedure; Florida Rules of Criminal Procedure; Florida Probate Rules; Florida Small Claims; Florida Rules of Appellate Procedure; Florida Family Rules.*) This petition remains pending before the court. Members of this Subcommittee continue to collaborate with The Florida Bar Rules of Judicial Administration Committee in its effort to draft and propose relatively minor amendments to Rule 2.420 to address issues that have surfaced as lawyers and clerks apply the recent amendment to the Rule.

K. Manatee County Pilot Oversight Subcommittee

In 2006 the Supreme Court approved the concept of a pilot program for maintaining and distributing electronic court records in Manatee County. On July 3, 2007 the State Courts Administrator and the Clerk of Court for Manatee County entered into a memorandum of understanding that outlined the parameters and requirements of the project. The Manatee County Clerk was authorized to provide remote electronic access to court records in two six-month phases. During phase one the Clerk was authorized to allow such access to certain

users such as government agencies and attorneys of record in a case. At the conclusion of the first six months, the project was evaluated by the National Center for State Courts. The Commission approved an extension of the program during the evaluation period. Following and based upon that evaluation, on June 15, 2009 the Commission authorized the clerk to proceed with implementation of phase two, which provides the general public with remote electronic access to most court records. The clerk subsequently experienced some technical issues that delayed implementation of the second phase until March 1, 2010.

At the conclusion of the phase two six-month period, according to the memorandum of understanding between the Clerk of Manatee County and the State Courts Administrator, the entire project must be evaluated. The July 2007 memorandum of understanding requires that court users be surveyed, and that a survey of a sampling of Manatee County residents be conducted to ascertain their experiences and views about electronic access to court records.

In January 2011, an agreement was signed between the Office of the State Courts Administrator and the National Center for State Courts to conduct the review of phase two. The results of the phase two evaluation are expected to be reported at the May 2011 FCTC meeting.

III. Recommendations

At the February 2011 FCTC meeting a Commission member moved to recommend to the Supreme Court to “phase in electronic filing and make it mandatory for all attorneys.” The full Commission voted and approved this recommendation unanimously. The Commission believes that unless electronic filing is mandated, attorneys will not feel inclined to change current practices and participate in this endeavor, which is a major step towards an electronic courts system. The Commission is asking the court to issue an administrative order mandating e-filing for all attorneys.

FLORIDA COURTS TECHNOLOGY COMMISSION OPERATIONAL PROCEDURES

I. Authority

Florida Rule of Judicial Administration 2.236

II. Purpose

Rule 2.236 requires the FCTC to establish operational procedures necessary to carry out its responsibilities. The purpose of this document is to set forth procedures for the general operations of the Commission.

III. Membership

In accordance with Florida Rule of Judicial Administration 2.236, the Commission has twenty-five members, which will be appointed by the Chief Justice after consultation with the Court. Each member will be initially appointed for a 1-, 2-, or 3-year term, and a member's term may be extended to three year terms thereafter.

IV. Committees and Workgroups

1. The chair may establish committees and workgroups to assist in carrying out the responsibilities of the Commission. Members are expected to serve on at least one committee. Committees and workgroups may have members who are not Commission members; however, each committee or workgroup must have at least one Commission member and shall be chaired by a Commission member. The chair shall appoint the members of each committee and workgroup.

Responsibilities of committees and workgroups –

- a. Monitor development of new court technology projects, review reports on new technology projects and review annual reports submitted by the courts
- b. Continue to monitor implementation of new and amended rules of procedure relating to protection of confidential information in court records
- c. Monitor existing standards for state court technology and recommend any additional standards designed to achieve an integrated computer system for state courts

- d. Collaborate with other court committees and commissions and other entities (e.g. Florida E-Filing Authority, also referred to as Florida Courts E-Filing Authority) whose work relates to or affects technology in the judicial branch
2. Committees and work groups of the Commission shall regularly report the progress of their work to the Commission, and shall recommend to the Commission any action that the Commission should take as the result of their work.

V. Staff Support

The OSCA will provide staff to record minutes, to notify members of meetings, and to provide other support related to the operation of the Commission and will also support any committees and workgroups created under the Commission.

VI. Meetings

1. The meetings of the Commission shall be governed by Robert's Rules of Order.
2. Presiding Officer – The Chair of the Commission shall preside at all Commission meetings. No general principle prohibits the Commission from meeting in the absence of the Chair. In his or her absence, the Chair may temporarily designate someone to preside over Commission meetings.
3. Number of meetings – The Commission will meet on an as needed basis, but no less than quarterly.
4. Regular meetings – The Commission will meet regularly at a time and place designated by the chair. While Chapter 286, Florida Statutes is not applicable to the Judicial Branch, meetings of the Commission will be open to the public and all official acts of the Commission will be taken at public meetings; except as provided herein.
 - i. Videoconference
 - ii. Teleconference
 - iii. Action approved via e-mail

In such instances, any action taken by the Committee will be considered public record and available upon request.

5. Committee meetings – Committee meetings may be held at the discretion of the Commission chair or the chair of any committee within available resources using the

most effective and efficient means. Video conference or teleconference should be used when feasible.

6. Notice of meetings – Notice of regular meetings of the Commission will be available on the Commission’s website at www.flcourts.org/gen_public/technology/techcomms.shtml by OSCA staff not less than 14 days before the event.
7. Attendance at Commission meetings is mandatory and shall be in person unless otherwise approved by the chair. If a member misses two consecutive meetings, the chair may contact that member regarding attendance. If a member misses two consecutive meetings, the chair shall notify the member that a third absence may result in removal from the Commission. After three consecutive absences, the Chair may notify the Chief Justice of the Supreme Court and make a recommendation for a replacement. A member may seek to be excused from attending a Commission meeting by notifying the OSCA staff, prior to the meeting, of his or her planned absence. The chair has discretion to approve a member’s absence.
8. Voting
 - a. Quorum – At least thirteen (13) members of the Commission must be present to constitute a quorum for the transaction of business. The members of the Commission who are judicial officers, court technology officers, and court administrators must constitute a majority of the Commission, and must constitute a majority of any quorum at all meetings of the Commission. This shall include attendance via video or telephonic conference.
 - b. Proxy Voting – Commission members must be present to vote on issues. No member can authorize another individual to vote on any issue in his/her stead.
9. Minutes – OSCA staff will take minutes at Commission meetings and will disseminate a draft of the minutes to Commission members within at least thirty (30) days before the next scheduled meeting. After the Commission approves the minutes, a copy of the minutes will be disseminated to Commission members and posted on the Commission’s website.

VII. Agenda

Recommendations to the Commission and all matters of business or concern to be included in the agenda will be presented to the chair or the OSCA staff prior to any

meeting. The chair, with the assistance of the OSCA staff, will assemble all agenda items and will provide a copy of the agenda to each member of the Commission at least five days prior to the meeting. If additional items or supporting documentation are subsequently added, a supplemental agenda and supporting documents may be provided prior to the meeting. The chair has the discretion to add additional items to the agenda at the beginning of the meeting. The agenda and any supplemental agenda will be posted on the Commission's website. Any materials associated with agenda items will also be distributed five days prior to the meeting and posted on the website. Additional materials may be distributed at the meeting with the approval of the chair.

VIII. Appearance before the Commission

1. Individuals or representatives of a group who desire to appear before the Commission to address a subject within the Commission's jurisdiction may submit their requests to the chair to include an item in the agenda. The chair will determine whether and when the item will be heard. The chair may place time limits on any presentation or decline to hear any matter determined to be outside of the Commission's jurisdiction.
2. The chair shall have the discretion during the course of a Commission meeting to recognize any individual or representatives of groups to address the Commission on items listed on the Commission's agenda.

IX. Process for Approving Technology Programs, Systems, and Applications

Rule 2.236(b)(6) and (c)(3), instructs the FCTC to create procedures whereby courts and clerks and other applicable entities can apply for approval of new technology systems or applications, or modifications to existing systems or applications, that affect the receipt, management, maintenance, use, securing, and distribution of court records within the judicial branch, and between the public and the judicial branch. FCTC approval is not required for modification of an existing system unless it substantially or materially impacts the performance of court-related functions; however, the Chair of the FCTC shall be courtesy copied on the request. Any modification of new system must meet the standards outlined in the Integration and Interoperability Document and any other standards approved by the Florida Courts Technology Commission or the Florida Supreme Court.

In order to comply with this section, courts shall seek approval by the following process.

a. Trial Courts

1. Approval Process for Electronic Filing or Electronic Process Requests

- a. A trial court clerk of court or trial court chief judge shall submit its plan to Information Systems Services (ISS) Division via an email to e-initiatives@flcourts.org to begin the process. A letter from the Circuit Chief Judge should accompany the plan. An auto reply confirming receipt of plan will be sent to the submitter.
- b. When an electronic initiative request is received, ISS staff will notify via email the Chair of the Electronic Filing Committee (EFC), with a courtesy copy to the Chief Judge, Trial Court Administrator, and Court Technology Officer (CTO).¹
- c. Should it be necessary, ISS staff shall notify the submitting party of any additional information that is required for processing. Once the request from ISS staff is made, the submitter shall have 60 days to provide the necessary documentation. Failure to provide this documentation shall result in the request being denied without prejudice to resubmit.
- d. Appropriate parties may monitor the progress of their request through the approval process. Updates will be available on the Florida Courts website, www.flcourts.org, on the court technology page.
- e. ISS staff will review the plan to ensure that it complies with all electronic filing standards and guidelines and that it includes a Statement of Certification for ADA-Section 508 compliance. Concurrent with the ISS review, the State Courts ADA Coordinator will review the ADA questions to ensure the 508 compliance.
- f. Upon conclusion of the staff review, ISS will forward the request via email to the EFC members to request that they review the request and recommend whether to accept or reject the plan. E-

¹ A full review of the plan by the local CTO should be completed prior to submission

filing or e-process applications shall be reviewed within 120 days of receipt. If necessary, the chair of the EFC may schedule a meeting (to be held via conference call or video conference) to discuss questions/concerns raised by the EFC members. The EFC may also request local CTO's to conduct a site visit to review the program or system.

- g. Upon a majority of the EFC approving an application, ISS staff will prepare an authorization letter to be emailed to the Chair of the FCTC for review and signature (as provided in Rule 2.236 (b)(7)). The authorization letter from the Chair of the FCTC will address any specifications/caveats expressed by the chief judge. The Chair will send copies of the authorization letter to the Clerk of the application court, the Chair of the E-Filing Committee, the Chief Judge of the Circuit, the Trial Court Administrator, the Court Technology Officer and the State Courts Technology Officer (CIO). A copy of the letter of authorization will also be available on the Commission's website.

2. Approval Process for New System or Substantial/Material Change to Existing System

a. Modification to Existing System

- i. The Clerk of Court or court staff shall submit its plan to the Circuit Court Chief Judge with a courtesy copy to the FCTC via OSCA staff (e-initiatives@flcourts.org).
- ii. The Chief Judge and/or designee will review the plan to ensure it complies with all Supreme Court approved standards and guidelines, including ADA-508 compliance.
- iii. If necessary, the Chief Judge may request an additional review of the plan and or system by OSCA staff and the Chair of the Florida Courts Technology Commission.
- iv. Upon approval, the Chief Judge shall issue authorization via letter or local administrative order, and courtesy copy the FCTC Chair and the State Courts Technology Officer (CIO).

b. New System

- i. A trial court clerk of court or trial court chief judge shall submit its plan to Information Systems Services (ISS) Division via an email to e-initiatives@flcourts.org to begin the process.
- ii. ISS staff will review the plan to ensure that it complies with all Supreme Court approved standards and guidelines, including ADA-Section 508 compliance.
- iii. Should it be necessary, ISS staff shall notify the submitting party of any additional information that is required for processing. Once the request from ISS staff is made, the submitter shall have 60 days to provide the necessary documentation. Failure to provide this documentation shall result in the request being denied without prejudice to resubmit.
- iv. Upon conclusion of the staff review, ISS will forward the request via email to the EFC members to request that they review the request and recommend whether to accept or reject the plan. If necessary, the chair of the EFC may schedule a meeting (to be held via conference call or video conference) to discuss questions/concerns raised by the EFC members.
- v. Upon a majority of the EFC approving a request, ISS staff will prepare an authorization letter to be emailed to the Chair of the FCTC for review and signature (as provided in Rule 2.236 (b)(7)). The Chair will send copies of the authorization letter to the Circuit Court Clerk and/or Circuit Court Chief Judge, the Chair of the E-Filing Committee, the Trial Court Administrator, the Court Technology Officer and the State Courts Technology Officer (CIO). A copy of the letter of authorization will also be available on the Commission's website.

b. District Courts of Appeal

1. Approval Process for Electronic Filing or Electronic Process Requests

- a. To begin the process, the district court submits its plan to Information Systems Services Division via an email to e-initiatives@flcourts.org. A letter from the District Court Chief Judge should accompany the plan. An auto reply confirming receipt of plan will be sent to the submitter.
- b. The district court may monitor the progress of its request through the approval process. Updates will be available on the Florida Courts website, www.flcourts.org, via the court technology page.
- c. ISS staff will review the plan to ensure that it complies with all electronic filing standards and guidelines and that it includes a Statement of Certification for ADA-Section 508 compliance. Concurrent with the ISS review, the State Courts ADA Coordinator will review the ADA questions to ensure the 508 compliance.
- d. Should it be necessary, ISS staff shall notify the submitting party of any additional information that is required for processing. Once the request from ISS staff is made, the submitter shall have 60 days to provide the necessary documentation. Failure to provide this documentation shall result in the request being denied without prejudice to resubmit.
- e. Upon conclusion of the staff review, ISS will forward the plan via email to the Chair of the Appellate Courts Technology Commission (ACTC) and other ACTC members (with a courtesy copy to the Systems Administrator), requesting that they review the plan and recommend whether to accept or reject the plan. E-filing or e-process applications shall be reviewed within 120 days of receipt. If necessary, the chair may schedule a meeting (to be held via conference call or video conference) to discuss questions/concerns raised by the ACTC members.
- f. Upon receiving a majority vote by the ACTC, ISS staff shall prepare an authorization letter to be emailed to the Chair of the

FCTC for review and signature (as authorized Rule 2.236(b)(7)). The authorization letter from the Chair of the FCTC will address any specifications/caveats expressed by the district court chief judge. The Chair will send the authorization letter to the Chief Judge of the respective District Court, with copies to the Clerk of the District Court, the Clerk of the Supreme Court, the Systems Administrator, the Marshal of the District Court, and the State Courts Technology Officer (CIO). A copy of the letter of authorization will also be available on the Commission's website.

2. Approval Process for New System or Substantial/Material Change to Existing System

- a. The Clerk of Court shall submit its plan to the Information Systems Services Division via an email to e-initiatives@flcourts.org, accompanied by a letter from the Chief Judge.
- b. ISS staff will review the plan and system to ensure that it complies with all Supreme Court approved standards and guidelines, including ADA-508 compliance.
- c. Should it be necessary, ISS staff shall notify the submitting party of any additional information that is required for processing. Once the request from ISS staff is made, the submitter shall have 60 days to provide the necessary documentation. Failure to provide this documentation shall result in the request being denied without prejudice to resubmit.
- d. Upon conclusion of the staff review, ISS will forward the plan via an email to the Chair of the Appellate Courts Technology Committee (ACTC) and other ACTC members, with a request for review and recommendation. If necessary, the chair of the ACTC may schedule a meeting (to be held via conference call or video conference) to discuss questions/concerns raised by the ACTC members.
- e. Authorization shall be issued based on the following:
 1. For a modification to an existing system, upon receiving a majority vote by the ACTC, ISS staff shall prepare an

authorization letter for the Chair of the ACTC. The Chair will send the authorization letter to the Chief Judge of the respective District Court, with copies to the Clerk of the District Court, the Clerk of the Supreme Court, the Systems Administrator, the Marshal of the District Court, and the State Courts Technology Officer (CIO).

2. For a new system, upon receiving a majority vote by the ACTC, ISS staff shall prepare an authorization letter to be emailed to the Chair of the FCTC for review and signature (as authorized Rule 2.236(b)(7)). The Chair will send the authorization letter to the Chief Judge of the respective District Court, with copies to the Clerk of the District Court, the Clerk of the Supreme Court, the Systems Administrator, the Marshal of the District Court, and the State Courts Technology Officer (CIO). A copy of the letter of authorization will also be available on the Commission's website.

c. Monitoring

Committees may be appointed to ensure that the programs, systems, and applications are operating in accordance with the technology policies established by the Supreme Court and technical standards established by the Commission.

X. Annual Report

The Commission shall prepare for each calendar year a report which it will submit to the Supreme Court by April 1 of the following calendar year.

Adopted February 2011