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 1, 2012

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 summarizes the work of the Commission from April 2011 through March 2012. As you will find documented in this report, the courts continue to make vast 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. Kreeger

Enclosure

Florida Courts Technology Commission

2012 Yearly Report

April 1, 2012

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 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.

The Commission has met in person quarterly 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. A ninth subcommittee was formed in early 2012 to oversee and ensure that adopted standards are being adhered to at the local level. In addition to the above referenced subcommittees and workgroups, 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. These groups and the Commission as a whole have devoted considerable time and effort to issues related to implementing statewide e-filing and the implementation of eCourts. Those issues directly relate to the work of the E-Filing Committee, the Appellate Courts Technology Committee, the Portal Committee, the Technical Standards Committee, the TIMS Committee, and the Funding Committee, among others.

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 has been able to

schedule some in person committee meetings during the morning immediately preceding the quarterly full Commission meetings.

During the course of the year, the Commission used the opportunity of convening in person for its quarterly meetings to view demonstrations of the statewide eportal, some innovative technology applications developed by local courts, the CLERICUS system developed by the FACC, and the PACER system developed and used by Federal courts. It was and is most helpful for Commission members to see examples of how the use of technology can assist courts in operating more effectively and efficiently.

The Commission worked collaboratively with the Courts E- Filing Authority to make the ePortal website more accessible and understandable for filers. One specific area where commission members assisted was to improve the section of the website that implements protection of confidential information contained in court records.

The Commission's work related to tasks assigned to it is described in the section entitled Subcommittee and Work Group Activities.

Subcommittee and Work Group Activities

A. 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), and most recently in 2011 (AOSC11-42). 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 a clerk of court or chief judge for permission to discontinue follow-up filing of documents in paper form.

The committee continues to 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 has continued to be a critical priority. The Statewide Standards for Electronic Access to the Courts is currently in its seventh version, most recently updated in February 2012. 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, and recognizes that this will continue to be an evolving document as e-filing is fully implemented.

Electronic filing commenced through the statewide ePortal in early January 2011. As of March 2012, 41 counties are capable of accepting e-filed documents via the Florida Courts ePortal; 5 counties are capable of accepting e-filed documents via local e-filing systems; and 21 counties are implementing plans to become capable of accepting e-filed documents via the Florida Courts ePortal. The FACC has set a goal to have all 67 counties capable of accepting e-filed documents for new and existing cases in all five civil divisions, by July 1, 2012. Additionally, beginning in January 2011, and through March 2012, 7,276 users have registered to file electronically, there have been 49,723 filings (an average of 3,369 filings per month) and 67,926 documents (average of 4,602 documents per month) submitted through the Florida Courts ePortal. As of March 2012, all 67 Florida counties have submitted their plans and have been approved for electronic filing in some or all of their divisions and courts; OSCA staff is working with the FACC and the local clerk's offices to ensure that all counties are approved for all court divisions by the end of this fiscal year.

Additionally, 12 counties have been approved, in at least one court division, to discontinue the local requirement for attorneys filing electronically through the ePortal to also file a hard copy of the document(s). The E-filing Committee also continues to monitor technology projects in courts statewide.

B. Appellate Courts Technology Committee

There are currently two appellate court e-filing and case management solutions in use – eFACTS and iDCA/eDCA.

The Information System Services (ISS) unit within the Office of the State Courts Administrator has developed an electronic document, electronic workflow, and case management solution that will interface with the statewide portal. The Supreme Court and the Second District Court of Appeal are piloting the eFACTS solution. On November 16, 2011, the electronic voting module of eFACTS was demonstrated to the ACTC.
The eFACTS solution is two-fold. The cases portion closely matches the current Case Management System (CMS) interface with the addition of voting management, scanning and electronic filing management. The electronic voting portion closely matches the current Supreme Court eVote system, with the addition of Panels to support the District Courts of Appeal and the addition of a overall voting group status. The eFACTS solution also includes full-text searches of documents and an OCR (Optical Character Recognition) service for making documents searchable.

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 eFACTS solution is web-based, which allows remote access to the eFACTS solution 24 hours a day, 7 days a week; (3) predefined and customizable electronic workflows and forms are built into eFACTS; (4) eFACTS is built on the Microsoft platform, which allows for interaction between systems; and (5) it has the ability to associate a document to a docket, which the current CMS does not.

OSCA/ISS staff continue to develop the eFACTS solution and are working closely with this committee, as well as with other subject matter experts. In November 2011, the Supreme

Court began user testing of the voting module and the working documents library. eFACTS and workflow process training for the Supreme Court and the Second District Court of Appeal has begun and is ongoing. Work continues on the eFACTS interface with the statewide portal, technical standards for electronic records, and the addition of District Courts of Appeal Panel management in the eFACTS Cases and Voting modules. ISS is also working with a vendor to beta test automated document redaction software that integrates with the Microsoft SharePoint platform. A reusable document and data import utility has been developed to facilitate movement of both electronic documents and related data into eFACTS, including the iDCA/eDCA documents and data for the Fifth District Court of Appeal and the First District Court of Appeal. In addition, there are several technical tasks being completed, including stress and load testing of eFACTS, a Microsoft Premier SharePoint Risk Assessment Program (SPRAP) engagement, and a disaster recovery exercise.

The pilot e-filing system, "iDCA/eDCA," is fully deployed at the First District Court of Appeal. Currently the First District Court requires all attorneys to file documents exclusively through the eDCA filing portal, effective August 9, 2010. The entire caseload of that court is now digitized. This represents millions of pages of documents available internally through the iDCA portal and externally to registered users of eDCA (an eDCA user can only view documents for cases in which that user is an attorney or party). There are currently over 5,000 registered eDCA users.

On August 18, 2011 the ACTC unanimously approved a request for additional programming dollars to be used to integrate the court's aging order generation system into the iDCA/eDCA system. Order generation had been historically accomplished using the legacy Case Management application which is designed only to generate paper orders for postal mailing. Integration of order creation into iDCA/eDCA is already complete and as a result, beginning March 1, 2012, the court ceased mailing paper copies of orders to registered users of eDCA. The court is already experiencing substantial postage and supply costs savings. Further modifications to iDCA/eDCA are underway with the intention of further minimizing postal

mailings of acknowledgement letters, opinions and mandates. These modifications should be complete within the coming months.

In addition to the deployment of iDCA/eDCA at the First District Court of Appeal, the Fifth District Court of Appeal is also making increased use of the system. The Fifth District Court of Appeal currently has in place the full iDCA/eDCA system. That court is making extensive use of the document management portion of the system for storing and viewing electronic documents internally. They have also deployed the eDCA portal for use by specific users and are currently receiving records electronically from several lower courts serving the Fifth District.

C. 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 five named civil divisions – Probate, Circuit Civil, County Civil, Family, and Juvenile Dependency – which are currently being captured by the portal. The subcommittee determined it necessary to create a separate workgroup, comprised of law enforcement, state attorney and public defender representatives, private attorneys, and other agency stakeholders, to identify the envelope data elements for the criminal and traffic divisions – Circuit Criminal, County Criminal, Criminal Traffic, Civil Traffic, and Juvenile Delinquency. With initial and ongoing assistance from the Leon County Clerk's office, the workgroup identified the minimum number of data elements required for the clerk to receive and accurately process initial and subsequent filings. The workgroup also identified data elements that were required, those that are optional, those generated by the ePortal, or not

applicable, based on the case type and the filer role. The data elements were presented to the FCTC at its September 2011 meeting and adopted unanimously. The envelope data elements are considered a living document, and can and will be modified as needed.

D. Trial Court Integrated Management Solution (TIMS) Subcommittee

The TIMS project is a long term systematic effort by the FCTC and the Commission on Trial Court Performance and Accountability (TCP&A), as well as the Court Statistics and Workload Committee (CSWC), to define a meaningful framework for the development of a court case management system. The project is currently in the early stages of phase II of its planned progress, formulating a structural plan which can then be implemented in phase III.

The FCTC is part of the overall TIMS project, participating in the structural design process through representation on the project's Phase II workgroup. Separately the FCTC has also constituted its own TIMS subcommittee which during the past year has been working on planning and preparing for electronic filing in the trial courts. It is generating more concrete specifications for the computer applications that will support use of electronic files in court and in chambers, which in the taxonomy of the overall TIMS project is identified as the "adjudicatory interface" component. The subcommittee consists of judges, clerks, court administrators, circuit court technology officers, and a professor of information science from Florida State University.

Early in its process, the subcommittee concluded that there was not an existing market offering software packages that could serve the needs of courts, but there were numerous potential vendors who expressed interest in offering products that would meet some or all of the courts' needs. In order to ensure that the in-court systems have a degree of regularity across the state, the subcommittee adopted a strategy consisting of specifying standards through a Functional Requirements Document (FRD) implemented by a vendor certification process.

The subcommittee has met several times, saw demonstrations of products of several vendors, and reviewed projects that were developed in house by several circuits. The subcommittee developed a draft Functional Requirements Document that has been circulated among the

FACC and other interested parties, and is in the process of finalizing that document. It expects to present the document to the full Commission for approval at or before its next quarterly meeting.

E. 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. In September 2011, the State Justice Institute (SJI) awarded the OSCA a $50,000 technical assistance grant. With matched funds, the total grant allotment is $75,000. The OSCA then entered into an agreement with the National Center for State Courts (NCSC) in November 2011 to conduct the research and analysis to identify available and potential funding sources for eCourts and associated projects. The consultants will 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. OSCA staff has been working with two consultants from the NCSC gathering and analyzing information. A final recommendation is expected in the fall of 2012.

F. Technical Standards Subcommittee

Over the past year, the Technical Standards Subcommittee has updated the Integration and Interoperability (I&I) document and has developed statewide standards for access to electronic court documents, which were adopted by the Commission in February 2012. The subcommittee is also developing a security matrix to determine user access levels, which will be included in the statewide standards. The subcommittee worked closely with Manatee County Clerk of Court staff, using the knowledge and experience that court acquired by operating as a pilot project for remote electronic access to court records. The subcommittee

is also looking into PDF/A as a standard for archiving. PDF/A holds fonts, colors, digital signatures, and is 508 compliant.

G. Reports Subcommittee (previously named Annual Reports Subcommittee)

The 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 database that would tie into the Integration and Interoperability document. The subcommittee is also working on development of a survey to send to the clerks of court to determine the varying levels of compliance with e-access, as well as an application template for the counties/circuits to apply if new systems are acquired or substantial changes/modifications are made to an existing system. The subcommittee will also survey to assess 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.

H. Education and Outreach Subcommittee

Education continues to remain a top priority of this Commission. The Education and Outreach subcommittee has been tasked with 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 ePortal. The chair of the FCTC has been actively attending a number of events over the past year, including chief judges meetings and the judicial branch leadership meeting, providing updates on e-filing and other technology related projects, and presenting a program in the plenary session at the 2011 Circuit Judges Conference. The subcommittee has focused on three topics this past year – Rules 2.420 and 2.425, Rule 2.526, and e-filing/e-service. OSCA staff has worked with The Florida Bar and the FACC on educational opportunities surrounding rule 2.526 (re: accessibility of information and technology), with a training program developed and being offered to judicial branch staff by OSCA and Supreme Court staff, and a separate CLE course for attorneys, which is currently being provided by The Florida Bar. It is anticipated that the FCTC will also collaborate with The Florida Bar to produce a webinar presentation

regarding rules 2.420 and 2.425, which would be a follow up to the previously produced webinar on rule 2.420 by the chair and a member of the Commission. OSCA staff continues to work with FACC and clerk staff on e-filing and e-service and expect to work with FACC to constitute a workgroup to map out the process flows for effective e-service through the statewide portal. As e-filing becomes more widely used across the state, the subcommittee will expand its outreach efforts surrounding new rules of court, standards, and other directives.

I. 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*.) The Court adopted new Rule of Judicial Administration 2.425 through a revised opinion in November 2011, with the amendments to the rules and forms becoming effective, nunc pro tunc, October 1, 2011. The new rule serves as a companion to rule 2.420. New rule 2.425 provides safeguards to minimize the amount of personal information being filed with the court, while rule 2.420 governs the procedures for determining the confidentiality of information after it has been filed and for providing public access to non confidential information.

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.

J. Manatee County Pilot Oversight Subcommittee

In January 2011, the Office of the State Courts Administrator (OSCA) signed an agreement with the National Center for State Courts (NCSC) to conduct the review of phase two of the Manatee County Pilot Project. The National Center for State Courts submitted its phase two evaluation final report in May 2011. The report lauded the project a success, and made three recommendations – (1) the pilot should become a permanent court service; (2) remote electronic access to court records should be provided statewide; and (3) courts should not retain any identifying data on public users (IP addresses, cookies). At the May 2011 FCTC meeting, the Commission approved the request to relieve the Manatee County Clerk's office of the requirement of submitting monthly status reports to the OSCA. Then in preparation for the September 2011 FCTC meeting, the Commission reviewed the NCSC Phase II evaluation final report. In August 2011 members of the subcommittee and OSCA staff made a site visit to Manatee County to view the project in operation and discuss its features with the clerk of that court and his staff. At the September meeting, the Commission voted to remove the "pilot" status so that the program could become a standing court service, as

recommended by the NCSC. The Commission has discussed the statewide moratorium on public access to court records at each Commission meeting during the past year. Consideration of a recommendation to the Supreme Court concerning the moratorium is scheduled as part of the agenda for the May 2012 meeting.

K. Compliance Subcommittee

Following the January 2012 meeting, the chair of the FCTC created the Compliance Subcommittee as its ninth subcommittee. The Commission's Operational Procedures allow for "committees [to be] appointed to ensure that programs, systems, and applications are operating in accordance with technology policies established by the Supreme court and technical standards established by the Commission." Therefore the purpose of the Compliance Subcommittee is to provide the needed oversight and ensure that standards and policies are being followed, and to develop a process whereby programs, systems or applications that appear not to be in compliance with technology standards are brought to the attention of the Commission for further action. The subcommittee will work in conjunction with the Report Subcommittee, which is developing a survey to determine the varying levels of compliance with e-access, specifically focusing on new systems and/or substantial changes/modifications to an existing system(s).

L. SC11-399 Workgroup

Upon receipt of the Supreme Court's August 8, 2011 Order, the Chair of the FCTC constituted a workgroup that was designed to represent significant groups of users of court technology. Members of the work group included clerks, representatives from the Florida Public Defenders Association and the Florida Prosecuting Attorneys Association, regional conflict counsel, private criminal defense counsel, the private civil bar, and members of the FCTC. The workgroup was to develop a phased in implementation plan for mandatory e-filing by attorneys, as recommended by this Commission in its 2011 yearly report. The workgroup sought and received a status report from the county and appellate court clerks on their local technological readiness to receive documents e-filed through the statewide portal. The work group identified that counties vary in their availability of resources for system conversions, which is a challenge for some county clerks. It was reported that to implement

e-filing in an orderly, secure manner, county clerks would need between three to six months to pilot and test their systems, train their staff and users of the system, build that portion of their websites, and develop the appropriate business processes. The chair of the FCTC, who also served as chair of the workgroup, specifically asked members of the workgroup who practice in the criminal field to identify resource issues that may impede their ability to file documents electronically, legal issues that may have to be resolved if they are required to file electronically, and challenges that would confront their attorneys working in the courtroom. The workgroup met prior to the FCTC's scheduled September 2011 meeting to discuss the first draft of the approach for phased in implementation of statewide e-filing. The criminal practice members also reported on their discussions with members of their respective statewide organizations, and the clerks reported on their additional progress. Issues regarding the ability to file similar documents in multiple cases, i.e. "batch filing", raised by the prosecuting attorneys association and public defenders association, were directed to the FACC and the Courts E-Filing Authority Board for a technological solution. The attorneys associations have been productively working with the FACC to ensure that the ePortal is configured in a manner that will accommodate the specific needs of agencies that file large quantities of documents.

After considerable discussion, the FCTC unanimously passed a series of resolutions that constitute its plan for phased in mandatory e-filing by all attorneys in Florida courts. The FACC and Courts E-Filing Authority Board worked collaboratively with the FCTC and support the plan.

1. On or before July 1, 2012 all clerks will be prepared to accept e-filings through the statewide ePortal in the civil divisions (defined as circuit civil, county civil, probate, family, and juvenile dependency).

2. On or before December 31, 2012 all clerks will be prepared to accept e-filings through the statewide ePortal for criminal divisions (defined as circuit criminal, county criminal, criminal traffic, civil traffic, and juvenile delinquency).

3. E-filing by attorneys in each division of the trial courts shall be mandatory, effective no later than nine months from the date that the clerk, with the approval of the chief judge, begins to accept e-filings for that division through the statewide ePortal.
    - Mandatory e-filing would become effective no later than March 1, 2013 for all civil divisions of the trial courts

- Mandatory e-filing would become effective no later than September 30, 2013 for all criminal divisions of the trial courts

4. All appellate court clerks shall be ready to accept all filings electronically from attorney by July 1, 2012.

5. E-Filing in appellate cases shall become mandatory for all attorneys by October 1, 2012.

6. No later than December 31, 2012 all clerks shall organize and transmit all records on appeal electronically. Those records shall be electronically indexed and searchable by the appellate court.

Additionally, it was agreed that a limited waiver process should be established for any attorney or clerk of court who cannot comply with mandatory e-filing for good cause shown. Notwithstanding the dates provided in these resolutions, the FCTC continues to encourage the clerks of court to implement their plans for e-filing through the statewide portal and their electronic systems and processes to do their work and enable judges to perform their responsibilities at the earliest practicable time, and to share with each other the knowledge and expertise that they are developing as they implement those systems. The implementation plan was addressed during oral arguments in November 2011.

On December 6, 2011 the Supreme Court directed the FCTC and the RJA Committee to convene a joint workgroup to address several issues of concern to the Court regarding e-filing and email service. The joint workgroup was charged with addressing the following three issues: (1) the extent to which specific exceptions from electronic filing in criminal cases are necessary; (2) whether institutional non-parties should be required to file documents electronically and if so, whether additional rule amendments should be proposed; and (3) whether the e-filing deadlines should apply to the implementation of email service. A second workgroup was formed, which included representatives from the various bar rules committees, clerks of court, FCTC members, Florida Public Defenders Association representatives, Florida Prosecuting Attorneys Association representatives, stakeholder agency representatives, and OSCA and FACC staff. The workgroup held weekly conference calls and reached a consensus on the three issues. The Commission approved its consensus by unanimous vote which was taken electronically. The workgroup's

consensus was reflected in its supplemental report filed with the Supreme Court on March 6, 2012.

Recommendations

In the FCTC's 2011 yearly report, the Commission recommended that electronic filing be mandated for all attorneys. Its more detailed recommendation for the implementation of mandatory e-filing is reflected in the supplementary report filed in Case No. SC11-399 that is described in the preceding paragraph. There are no additional recommendations to be made at this time.