

# Supreme Court of Florida

No. AOSC09-9

*Corrected*

IN RE: ELECTRONIC TRANSMISSION AND FILING OF  
DOCUMENTS UNDER FLORIDA RULE OF JUDICIAL  
ADMINISTRATION 2.525 FOR SARASOTA COUNTY, IN  
THE TWELFTH JUDICIAL CIRCUIT

## ADMINISTRATIVE ORDER

Pursuant to rule 2.525, Florida Rules of Judicial Administration, “[a]ny court or clerk of court may accept electronic transmission of documents for filing after the clerk, with input from the chief judge of the circuit, has obtained approval of the procedures and program for doing so from the Supreme Court of Florida.”

In In re: Electronic Transmission and Filing of Documents Under Florida Rule of Judicial Administration 2.525 for Sarasota County, No. AOSC03-9 (Fla. February 18, 2003), Sarasota County was authorized to accept filings electronically and print paper copies for the case file. The Sarasota County Clerk of Court has submitted a request for approval to discontinue the requirement to maintain the paper case file. The Sarasota County Clerk of Court has satisfied all the terms and conditions as previously set forth in AOSC03-9.

The Electronic Filing Committee of the Florida Courts Technology Commission, pursuant to the procedure established by the Supreme Court, reviewed the request and recommended that the Supreme Court of Florida approve the request from Sarasota County. The Florida Courts Technology Commission concurred with the recommendation of the Electronic Filing Committee.

Accordingly, the Sarasota County Clerk of Court's request to discontinue the requirement to maintain the paper case file, as required by AOSC03-9, is hereby approved subject to the following terms and conditions:

- a. The Sarasota County Clerk of Court may implement the aforementioned technology procedures in accordance with the approved plan effective on the date of this order.
- b. The Sarasota County Clerk of Court shall ensure that there is no possibility for vendors to release or distribute court data to third parties and that the Clerk of Court retains the designation as custodian of the court records.
- c. The Sarasota County Clerk of Court shall ensure that contract provisions prohibit any vendor from extracting, data mining, or engaging in similar activities with regard to information from original court filings and other court records or any associated databases

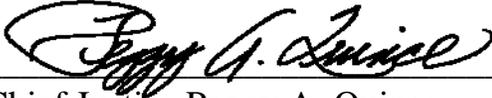
containing court records in the circuit for commercial or other non court related uses.

- d. The Sarasota County Clerk of Court shall ensure that no fees other than statutorily-required fees can be assessed or collected by the Clerk of Court.
- e. The Sarasota County Clerk of Court shall ensure that remote data backups will be stored in a protected environment that is not subject to the same risks as the primary site of the court record, and that the circuit will comply with established data backup standards as they are revised and updated.
- f. This approval does not constitute an approval of any electronic forms that may be used in this process.
- g. The Sarasota County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- h. The Supreme Court anticipates the approval of a statewide e-filing “portal” to ensure equal access to electronic filing across the state and has directed that the Florida Courts Technology Commission make implementation of such a system a priority of the judicial branch. All local electronic filing systems must be compatible with the statewide

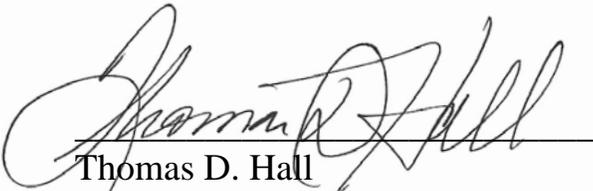
electronic filing portal, and approval of Sarasota County's request is contingent on the system's compatibility with the statewide portal when it is approved.

- i. At the present time, the Court is considering enhancements to current electronic filing practices throughout the State. There is a possibility that these enhancements may include the development and application of new business practices and technology standardization. Because these enhancements may occur in the near future, it will be the responsibility of the Sarasota County Clerk of Court to ensure that functionality of the proposed system related to electronic court records will also be made compliant with these new technological enhancements.

DONE AND ORDERED at Tallahassee, Florida, on April 29, 2009.

  
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Chief Justice Peggy A. Quince

ATTEST:

  
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Thomas D. Hall  
Clerk, Supreme Court

