

**AGENDA**  
**Florida Courts Technology Commission (FCTC) Meeting**  
**Howey-in-the Hills**  
**November 17-18, 2016**

<b>Access Governance Board Meeting:</b> Thursday, November 17, 2016	9:00 – 10:30 AM	El Nuevo Mundo Conference Center <b>Cortes Room</b>
<b>Document Storage Workgroup Meeting:</b> Thursday, November 17, 2016	10:45 -12:15 PM	
<b>RJA Joint Workgroup Meeting:</b> Thursday, November 17, 2016	1:30 – 3:00 PM	
<b>Abandoned Filings Workgroup Meeting:</b> Thursday, November 17, 2016	9:00 – 11:00 AM	El Nuevo Mundo Conference Center <b>Desoto Room</b>
<b>CCIS Subcommittee Meeting:</b> Thursday, November 17, 2016	1:30 – 3:00 PM	
<b>Portal Subcommittee Meeting:</b> Thursday, November 17, 2016	3:00 – 4:30 PM	
<b>FCTC Meeting:</b> Friday, November 18, 2016	9:00 – 4:00 PM	El Nuevo Mundo Conference Center <b>Cortes/Desoto Rooms</b>

- I. **Welcome** – *Judge Lisa Munyon, FCTC Chair*
  - a. Recognition of local guests
  - b. Lake County Welcome - *Administrative Judge Lawrence Semento*
  - c. Roll call
  
- II. **Approval of August Meeting Summary** – *Judge Lisa Munyon*
  - a. Motion to approve the minutes from the August 18, 2016 meeting of the Florida Courts Technology Commission as emailed to the Commission on October 25, 2016.
  
- III. **FCTC Action Summary (informational purposes only)** – *Judge Lisa Munyon*
  
- IV. **Court Application Processing System (CAPS) Update** – *Alan Neubauer*
  - a. CAPS Viewer Progress Report
  - b. CAPS Viewer Functionality Matrix
  - c. CAPS Viewer Map
  
- V. **Portal Progress Report** – *Carolyn Weber*
  - a. E-filing progress report
  - b. Service desk report
  - c. Portal Release 2016.02 update
  - d. Proposed Portal Release 2017.01

- VI. **Third Party Batch Filing Update** – *Carolyn Weber*
- VII. **Appellate Portal Interface Update** – *John Tomasino*
- VIII. **Portal Subcommittee Update** – *Judge Bidwill*
  - a. Criminal case initiation
    - E-filing search warrant returns
  - b. Attorneys opting out of service
- IX. **A2J Survey Presentation** – *Jim Kowalski*
- X. **CCIS 3.0 Update** – *Melvin Cox*
- XI. **CCIS Subcommittee Update** – *Judge Perkins*
  - a. CCIS search demonstration
- XII. **Abandoned Filings Workgroup Update** – *Judge Gagliardi*
  - a. Proposed reasons for E-Filing Correction Queue
  - b. Storing abandoned filings
- XIII. **Access Governance Board Update** – *Judge Hilliard*
  - a. Approval of Online Electronic Records Access Applications
    - i. Hillsborough County
    - ii. St. Lucie County
  - b. Updating the Access Security Matrix and Standards for Access to Electronic Court Records
    - i. State attorney request
    - ii. Florida Department of Corrections request
- XIV. **Document Storage Workgroup Update** – *Steve Shaw*
- XV. **FCTC/RJA Joint Workgroup Update** – *Judge Stephens*
- XVI. **Other Items/Wrap up**

# Florida Courts Technology Commission Meeting

## August 18, 2016

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A meeting of the Florida Courts Technology Commission was held at the West Palm Beach Hilton Hotel in West Palm Beach, Florida on August 18, 2016. 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, 9<sup>th</sup> Circuit  
Judge Ronald Ficarrota, 13<sup>th</sup> Circuit  
Judge Terence Perkins, 7<sup>th</sup> Circuit  
Laird Lile, Esq., Naples  
Jim Kowalski, Jr., Esq., Jacksonville Area Legal Aid (JALA)  
Matt Benefiel, Trial Court Administrator, 9<sup>th</sup> Circuit  
Karen Rushing, Clerk of Court, Sarasota County  
Sharon Bock, Clerk of Court, Palm Beach County  
Tanya Jackson, Adams Street Advocates

Judge Robert Hilliard, Santa Rosa County  
Judge Scott Stephens, 13<sup>th</sup> Circuit  
Judge Stevan Northcutt, 2<sup>nd</sup> DCA  
Murray Silverstein, Esq., Tampa  
John M. Stewart, Esq., Vero Beach  
Ken Nelson, CTO, 6<sup>th</sup> Circuit  
Jannet Lewis, CTO, 10<sup>th</sup> Circuit  
Christina Blakeslee, CTO, 13<sup>th</sup> Circuit  
Elisa Miller, Akerman LLP

### **Members not in attendance**

Judge Josephine Gagliardi, Lee County  
Thomas Genung, Trial Court Administrator, 19<sup>th</sup> Circuit  
David Ellspermann, Clerk of Court, Marion County  
Sandra Lonergan, Trial Court Administrator, 11<sup>th</sup> Circuit

Judge Martin Bidwill, 17<sup>th</sup> Circuit  
Judge C. Alan Lawson, 5<sup>th</sup> DCA  
Mary Cay Clanks, Clerk of Court, 3<sup>rd</sup> DCA

### **OSCA and Supreme Court Staff in attendance**

P.K. Jameson  
Alan Neubauer  
Jeannine Moore

Roosevelt Sawyer, Jr.  
Lakisha Hall

### **Other Attendees**

Craig Van Brussel, CTO, 1<sup>st</sup> Circuit  
Mike Smith, CTO, 4<sup>th</sup> Circuit  
Jim Weaver, 6<sup>th</sup> Circuit  
Robert Adelardi, CTO, 11<sup>th</sup> Circuit  
Noel Chessman, CTO, 15<sup>th</sup> Circuit  
Sunny Nemade, CTO, 17<sup>th</sup> Circuit  
Craig McLean, CIO, 20<sup>th</sup> Circuit  
Jon Lin, Trial Court Administrator, 5<sup>th</sup> Circuit  
Paul Silverman, Trial Court Administrator, 8<sup>th</sup> Circuit  
Melvin Cox, Director of Information Technology,  
Florida Court Clerks and Comptrollers  
Carolyn Weber, Florida Court Clerks and Comptrollers

Isaac Shuler, CTO, 2<sup>nd</sup> Circuit  
Terry Rodgers, CTO, 5<sup>th</sup> Circuit  
Fred Buhl, CTO, 8<sup>th</sup> Circuit  
Dennis Menendez, CIO, 12<sup>th</sup> Circuit  
Gerald Land, CTO, 16<sup>th</sup> Circuit  
Steve Shaw, CTO, 19<sup>th</sup> Circuit  
Amy Borman, 15<sup>th</sup> Circuit  
Tom Morris, State Attorney, 8<sup>th</sup> Circuit  
Patricia Alexander, Esq., Boca Raton  
Christopher Campbell, Florida Court Clerks  
and Comptrollers  
Tom Hall, Florida Court Clerks and Comptrollers

Justin Horan, Clay County Clerk of Court  
Harold Sample, Pasco County Clerk of Court  
Tony Landry, Volusia County Clerk of Court  
Kimberly Stenger, Polk County Clerk of Court  
Doris Maitland, Lee County Clerk of Court  
Carole Pettijohn, Manatee County Clerk of Court  
David Winiecki, Sarasota County Clerk of Court  
Doug Bakke, Hillsborough County Clerk of Court  
Linda Doggett, Clerk of Court, Lee County  
Laura Roth, Volusia County Clerk of Court  
Angel Coloneso, Manatee County Clerk of Court  
Nichole Fingerhut, Palm Beach County Clerk of Court  
Chief Judge Jeff Colbath, 15<sup>th</sup> Circuit  
Judge Cheryl Caracuzzo, 15<sup>th</sup> Circuit  
Judge Jessica Ticktin, 15<sup>th</sup> Circuit  
Judge James Martz, 15<sup>th</sup> Circuit  
Shilpa Proddutoor, Palm Beach County Clerk of Court  
Sarwar Siddiqui, Palm Beach County Clerk of Court  
Hal Valeche, County Commissioner, Palm Beach County  
Allyson Lynch, 15<sup>th</sup> Circuit  
Marla Jacknin, 15<sup>th</sup> Circuit  
Alison DeBelder, FL Justice Technology Center  
Steve Moerbe, Tyler Technologies  
Dave Johnson, Mentis Technologies  
Jon Van Arnam, Esq., Asst. County Administrator,  
Palm Beach

Brent Holladay, Lake 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  
Laurie Rice, Brevard County Clerk of Court  
Paul Jones, Palm Beach County Clerk of Court  
Chris Short, Pinellas County Clerk of Court  
Repps Galusha, Orange County Clerk of Court  
Cindy Guerra, Palm Beach County Clerk of Court  
Jeff Taylor, Manatee County Clerk of Court  
Mary Ellis, 15<sup>th</sup> Circuit  
Larissa Kries, 15<sup>th</sup> Circuit  
Judge Jeffrey Gillen, 15<sup>th</sup> Circuit  
Judge Laura Johnson, Palm Beach County  
Judge Meenu Sasser, 15<sup>th</sup> Circuit  
Mayor Mary Lou Berger, West Palm Beach  
Patience Burns, Palm Beach County Bar Assoc.  
Melissa Sotillo, 15<sup>th</sup> Circuit  
Stephanie King, 15<sup>th</sup> Circuit  
Michelle Spangenberg, 15<sup>th</sup> Circuit  
Steve Green, CSR Professional Services, Inc.  
Carol LoCicero, Thomas & LoCicero  
Chris Stewart, Pioneer Technologies  
Tom Leighton, Thomson Reuters  
Kelley Burke, Legislative Aide, Palm Beach  
County Commissioner Melissa McKinley

Judge Munyon welcomed the commission members and other participants to the meeting. She recognized Chief Judge Jeff Colbath and the warm welcome that the Palm Beach County Bar and the Palm Beach County Commission has provided for the FCTC meeting. Chief Judge Colbath noted some of the local dignitaries that assisted in supporting the FCTC conference: West Palm Beach Mayor, Mary Lou Berger; Vice Mayor, Hal Valeche; Assistant County Administrator, Attorney Jon Van Arnam.

Judge Munyon reported on absentee FCTC member, Mary Cay Blanks, in the passing of her son. Any donations for the contribution to the flowers, sent from the FCTC, can be sent to Jeannine Moore in OSCA. Judge Munyon called the meeting to order and advised everyone that the meeting was being recorded.

## **AGENDA ITEM II. Approval of May Minutes**

### **Motion to approve the minutes from the May 6, 2016 meeting of the Florida Courts Technology Commission.**

MOTION OFFERED: Laird Lile  
MOTION SECONDED: Murray Silverstein  
MOTION CARRIED UNANIMOUSLY

### **AGENDA ITEM III. Approval of FCTC Action Summary**

#### **Motion to approve the Florida Courts Technology Commission's action summary from the May 6, 2016 meeting.**

MOTION OFFERED: Laird Lile  
MOTION SECONDED: Karen Rushing  
MOTION CARRIED UNANIMOUSLY

### **AGENDA ITEM IV. FCTC Overview**

Judge Munyon explained the [FCTC Overview](#) is a current listing of the FCTC items that have been approved for informational purposes only.

### **AGENDA ITEM V. Court Application Processing System (CAPS) Update**

- a. Alan Neubauer gave an update on the progress of the implementation of the CAPS viewers. Fifty-eight counties have implemented their viewer in both the civil and criminal divisions; six counties anticipate implementing both the civil and criminal divisions by December 2016; three counties are currently transitioning to a new viewer and three counties are dealing with ongoing delays with resources and funding to implement viewers in the criminal divisions. Alan explained Judge Munyon's request to categorize the CAPS Viewers that are fully implemented. Fully implemented meaning the system is being used by judges to file orders through their viewer to the Portal. Eighteen counties are fully implemented; twenty-nine counties anticipate implementing this functionality by March 2017; twenty counties have either not implemented their viewer, no resources to implement functionality, or have integration challenges with the Portal. Murray Silverstein remarked on the twenty-nine counties that anticipate the full functionality of their CAPS viewer and inquired on a timeframe for a majority to implement this functionality. Alan commented less than a year to have 80% of the sixty-seven counties to have full functionality of their CAPS viewer. Murray questioned the twenty counties that are undetermined to implement the full functionality, how many are due to funding issues. Alan replied seven counties have no funding resources within their county to implement this functionality in their viewer. Murray inquired on the number of vendors that are supplying the viewers in the state. Alan replied, three vendors and four in-house systems. Judge Munyon commented that the implementation chart does not take an account of the new functionality in the Portal on receiving orders. In the future, another column will be added to the chart emphasizing the viewers' capability of receiving orders to be signed and filed electronically. Murray commented on the process of filing an order through

the Portal, without a judicial viewer, and how it is automatically e-served on all litigants who are registered with the Portal. Carolyn Weber followed up indicating that the proposed orders can be submitted to the circuit, then the judges can have the proposed orders emailed to an email address, process in the Portal, or print and sign them to be filed through the Portal. Murray said filing through the Portal without a viewer will still effectuate e-service for those able to receive email service. Judge Munyon conveyed Judge Gagliardi's comment on the seamless process of receiving proposed orders through the Portal.

## **AGENDA ITEM VI. Portal Progress Report**

- a. Carolyn Weber discussed the Portal usage statistics. In the month of July 2016, there were 1,143,430 filings through the Portal, of which 1,138,899 were submissions to the trial courts; 682 were submissions to the Department of Corrections; 2,901 were submissions to the Second District Court of Appeal; and 948 were submission to the Florida Supreme Court. There were 130 proposed orders submitted to the judicial circuits. Approximately 1.85% of filings were placed in the correction queue to be returned to the filer for correction. Of the 21,176 submissions returned for correction, 10,669 were corrected and resubmitted. The other submissions are left in the pending queue and ultimately moved to the Abandoned Filing queue where the filer can no longer update that submission. Roughly 21,127 submissions were in the pending queue for returns to the filer. Carolyn discussed the number of documents returned to the filer for corrections by filer role and the percentage of the documents that were actually resubmitted as opposed to submitting a new document. The number of self-represented litigants continues to increase with approximately 6,000 submissions. Carolyn went over the projects the FCCC is currently working on. Criminal e-filing is pending implementation in Pasco County; the FCCC is working with system-to-system e-filing with third party vendors; a new release is scheduled for October 21, 2016; working with the Supreme Court and the District Courts of Appeal to convert to eFACTS; working with the DOC to assist them with submitting proposed violation of probation (VOP) warrants to the judges; adding A2J interviews to the Portal to assist self-represented litigants; and providing technical support and training to the judiciary regarding proposed orders.
- b. Carolyn gave an update on the Portal service desk. The service desk takes calls regarding customer service incidents along with technical and system support incidents. Roughly 2,456 customer service incidents were received during July 2016. On average it took 15 minutes to respond to an incident and 40 minutes to resolve an incident. Roughly 426 technical/system support incidents were received during July 2016. On average it took 12 minutes to respond to an incident and 3 hours and 3 minutes to resolve an incident. Carolyn showed the top 10 types of incidents the service desk receives from judges, attorneys, and pro se filers, as well as the statistics on those types of incidents. Carolyn discussed the service desk initiative of cleaning up bad email addresses. In the month of July nearly 5,600 bad email addresses on the Portal were corrected. These email addresses contain invalid characters, spaces or are no longer valid addresses for the filers.
- c. Carolyn discussed the enhancements in the upcoming Portal release 2016.02 that was approved by the E-Filing Authority Board and will go into production on October 20, 2016. The filer interface modifications are:
  - Add 'Forgot User Name' to Portal

- Fee Waiver option added to the Portal for F.S. 63 [Adoptions]
- Allow the ability to copy a previously entered address from one party to another when creating a new case and adding parties in the Portal.
- Change pending queue to correctional queue and add enhancements to correction queue.

Judge Munyon inquired on the email address clean up and the bounce backs when e-servicing. Is a notation being done on the e-service list, when an email address has been removed, due to a bad email address? Carolyn replied yes, there is a notation done on the service list page and it is up to the user to correct the email address. If you click on the link, it actually tells you how many bounce backs the email has received.

- d. Carolyn gave an update on the proposed order functionality in the Portal. An update was done in the Portal that enhanced the file and sign feature. When a proposed order is received, there is a sign and file functionality that will affix the “done and ordered” with the County, the actual date the order was signed, along with the wet-ink signature of the Judge. It further creates and dates a certificate of service. There is also a place for the judicial assistant to add their name and title in the judges’ preferences. The user manual will be updated in the near future.

### **AGENDA ITEM VII. Standards for Third Party Vendors**

Carolyn discussed the standards for third party vendors. The E-Filing Authority has approved the application and license agreement and is currently accepting applications until August 15, 2016. Nine applications have been received, two from law firms, the rest are from process servers or investigator type agencies. Access has been given to the documentation and testing will begin as soon as they are ready to test. If testing goes well, it is anticipated to have all approved entities ready to begin the batch filing process in November 2016.

### **AGENDA ITEM VIII. Portal Subcommittee Update**

- a. Carolyn discussed the Florida Bar Attorney Status Validation that was presented to the Portal Subcommittee. The Portal was asked to validate attorneys, upon logging-in, using the Florida Bar list on attorneys that are not in good standing with the Florida Bar. The FCCC put together a requirements gathering document to obtain some guidance on the various restrictions, once they are received from the Florida Bar. The members of the Portal Subcommittee decided to refer the issue over to John Stewart, who is a member of the Florida Bar Board of Governors Technology committee, to make a recommendation to the Portal and the FCTC.

Judge Munyon deferred from the agenda and called upon Melvin Cox to present a CCIS update. Melvin stated the existing CCIS system is being updated to provide more real time and accurate data, as well as provide consistency in a uniform interface for all counties. Melvin explained CCIS is a statewide case and party repository and is integrated with the Portal and the JIS system. CCIS 3.0 utilizes national and statewide standards for integration, as well as the FCTC

Data Exchange Workgroup Standards. CCIS 3.0 integrates all 67 clerks of court real time data, into a statewide case index. This index allows access for governmental users to perform case or party searches. All the CMS systems are being programmed to send the case data to CCIS, as soon as it is received; thus allowing statewide access to real time data. Currently, in the early stages of the final rollout, three counties have been fully implemented. The goal is to have all counties fully implemented by December 31, 2016. Melvin discussed some of the benefits to the users of CCIS 3.0. Real-time access to Clerk data via access to a single statewide system; same day availability of case number for use in the Portal; improved system response time. Murray inquired on accessing CCIS directly from the Portal. Melvin replied yes, when a filer submits a case in the Portal, a link is provided on the filers my filings page. The link provides a snap shot of the information for that case. Although, you can't access the search functionality of CCIS through the Portal, their partnering to show a snap shot of the cases. Murray questioned the objective of having immediate access to CCIS and when certificate of service is updated there wouldn't be any discrepancy being real time data. Melvin replied it does not pass the service list information back and forth. Christina Blakeslee inquired on when a judge orders a birth certificate to be changed and being able to access the vital statistics database to confirm. Melvin responded that the only interaction CCIS would have with vital statistics, would be on death certificates for jury selection. Melvin added they could do something similar with birth certificates and have worked with vital statistics department in the past.

#### **AGENDA ITEM IX. Appellate Portal Interface Update**

Due to John Tomasino's absence, Alan Neubauer gave the Appellate electronic systems update. OSCA's ISS and the technical staff of the 1st DCA have been working together to bring the back end systems of eFACTS and iDCA/eDCA case management systems together into a unified environment. Additionally, they have been working on updating the legacy database that the old Case Management System was built on. The target for the unified back end is the fall of 2016 and this initiative is on track to meet that deadline. The appellate courts will continue to work with the FCCC on the integrated Portal for appellate filings.

#### **AGENDA ITEM X. CCIS Subcommittee Update**

Judge Perkins discussed the charge of this subcommittee is to determine and then develop a way of automating the task of getting related party/case information. At this time, the subcommittee is attempting to develop the functionality in the family law division however, looking to expand out to other divisions. Judge Perkins presented the matrix, prepared by the Related Party Workgroup that reflects a survey of the various clerks CMS data elements that are currently being captured. In addition to identifying those data elements, it displays the frequency that they are being captured by the clerks. In moving forward, the case type data will be reviewed to determine the data elements necessary to provide to a judge, to automate the task of related cases/parties in the unified family division. Once the related data elements are determined, the subcommittee will decide on the best method to obtain and automate the information to provide to a judicial officer for purposes of related cases/parties.

The goal before the next meeting is to identify the case types with sufficient frequency and the ability to automate the task of capturing the data.

### **AGENDA ITEM XI. Abandoned Filings Workgroup Update**

- a. Due to Judge Gagliardi's absence, Doug Bakke presented the survey results on the E-Filing Pending Queue. Doug explained the survey solicited all 67 clerks to review their respective reasons for placement of filings into the Portal's Pending Queue. From this review, they were asked to provide a more general list of reasons. In addition, each county was asked to provide a copy of or reference all county/circuit Administrative Orders that govern the pending queue processing. The responses were reviewed further to reduce the general reason codes down to a list of 20. The results show there is opportunities for training and educational purposes, as well as some possible technology changes being requested through the Portal. The workgroup will take the list and further analyze any Administrative Orders or technology solutions, to narrow list down further. In addition, during some of the workgroup discussions, a deficiency was identified in the Portal, when it submits a document to the clerks' office, e-service is effectuated on all parties registered through the Portal. When an item is placed into the pending queue, no notification goes out to the parties who were initially e-served. The Workgroup recommends the following motion: for all parties to have knowledge of submissions not being processed by the clerk.

#### **Motion for the FCTC to approve electronic notification be effectuated upon all original e-service recipients when a submission is returned to the correction queue, resubmitted or placed in the abandoned filings queue.**

MOTION OFFERED: Judge Ronald Ficarrota  
MOTION SECONDED: Judge Stevan Northcutt

John Stewart inquired on the value of the other parties getting notification on the submission not being processed. Doug responded with an example regarding a submission of a voluntary dismissal that was submitted, the attorney requested to place the filing in the pending queue and the document was never processed. Parties thought case was dismissed and were not aware of not being processed. Laird clarified all original e-served parties should have knowledge of what is happening with that document.

MOTION CARRIED UNANMIOUSLY

Doug stated when documents are placed in the abandoned filing queue, they are not processed and remain in that queue. The Workgroup is researching a technology solution to maintain those original documents.

### **AGENDA ITEM XII. Access Governance Board Update**

- a. Judge Hilliard informed the members that the Board received a 90-day extension request from Polk County to delay implementation of their electronic records access application and continue to use their existing remote access applications.

**Motion for the FCTC to approve Polk County's request for a 90-day extension to allow the Public Defenders and State Attorneys to continue to use existing remote access applications while they finalize development of their AOSC16-14 compliant application.**

MOTION OFFERED: Judge Robert Hilliard  
MOTION SECONDED: Judge Ronald Ficarrota  
MOTION CARRIED UNANIMOUSLY

- b. Judge Hilliard briefly discussed Monroe and Broward County's Online Electronic Records Access Applications. He offered two motions to be voted on simultaneously.

**Motion for the FCTC to approve Monroe County's Online Electronic Records Access application for Public Internet (Anonymous).**

**Motion for the FCTC to approve Broward County's Online Electronic Records Access applications for Attorney of Record, Commercial Purchasers of Bulk Records, and Individuals Registered for Subscriber Service.**

MOTION OFFERED: Judge Robert Hilliard  
MOTION SECONDED: Christina Blakeslee  
MOTION CARRIED UNANIMOUSLY

- c. Judge Hilliard stated there are several stakeholders under consideration regarding updating the *Access Security Matrix*. These applications are under advisement and are being deferred until the next FCTC meeting.

**AGENDA ITEM XIII. Certification Subcommittee Update**

Judge Perkins discussed a letter received from Judge Paul Alessandroni, Chair of the Court Statistics and Workload Committee (CSWC). The letter requested the subcommittee to provide commentary on five possible enhancements recommended by the CSWC to the Functional Requirements for Court Application Processing System (CAPS). The subcommittee reviewed the recommendations and invited Judge Alessandroni and P.J. Stockdale of OSCA, to the August meeting to give specifics on the recommendations. The proposed capabilities are listed below. Judge Perkins said some of the capabilities already exist in the CAPS viewers and some would need to be developed. The subcommittee will further research these capabilities to determine a recommendation at a later meeting.

1. Option for a judge or case manager to report status of case to Clerk and JDMS. (Priority 1)

2. Option for a judge or case manager to identify that he/she believes a case to be closed. (Priority 1)
3. Capability to request and retrieve performance statistics from JDMS Dashboard. (Priority 2)
4. Removal of requirements for computing clearance rate, time to disposition and pending performance metrics locally within CAPS. (Priority 3)
5. Transfer of Calendaring Information to JDMS. (Priority 4)

Judge Perkins stated the subcommittee updated *the CAPS Functional Requirements* and Jannet Lewis will be presenting the proposed changes during the Standards Consolidation Workgroup update.

### **AGENDA ITEM XIII. Document Storage Workgroup Update**

Steve Shaw said the Workgroup believed their primary task was to focus on the move from storage of documents in TIFF format to PDF format. The Workgroup now realizes the simple task of saving court files in a PDF format for long term storage was only a small part of the process associated with a change in the document format. After a significant evaluation of PDF/A sub-formats, the Workgroup determined that PDF/A-2 is the final document storage format for the foreseeable future due to the increased security of the format. PDF/A-2 standard was published in 2011 and offers enhancements in font management, allows image compression utilizing JPEG2000 compression, as well as allows for better support of PAdES (PDF Advanced Electronic Signatures). Because tools to generate PDF/A-2 documents are not generally available, filing in the PDF/A-1 format would be accepted until PDF/A-2 is more generally adopted. In addition, there are other areas the workgroup believe should be considered and include: possible changes to the Portal for document conversion and time-stamping; Clerk system changes associated with document storage, redaction, and time stamping; and functionality changes associated with the CAPS viewer and other viewing entities. Steve referred to the materials and the development of the *Draft Standards for Electronic Courts Document*. Several portions of the document are complete and other components only require minor changes. This document defines standards and guidelines for electronic document creation, document filing, document storage, and document delivery. Steve briefly went through the document and explained the concept of each of the standards. Steve requested another 3-6 months for the Workgroup to continue research with the Certification and Technical Standards Subcommittees to better define the document storage standards. Judge Munyon believes the final draft standards will be approved at the next meeting and at that point she will refer them over to the Technical Standards Subcommittee to determine if they should be incorporated into the *Standards Consolidation* document. Murray noted the Court rules should be referenced in the document storage standards where necessary.

### **Motion for the FCTC to approve PDF/A-2 as the long-term storage format.**

MOTION OFFERED: Steve Shaw

MOTION SECONDED: Murray Silverstein

Discussion on the “long-term” language prompted Steve to amend his motion and Murray Silverstein accepted the amendment.

**Motion for the FCTC to approve PDF/A-2 as the preferred document format and PDF/A-1 currently remains as an acceptable format.**

Tyler Winik inquired on an implementation date targeted for clerks that currently store documents in TIFF. Judge Munyon responded that the FCTC previously approved the PDF/A format and she understood the clerks were changing from TIFF to PDF format for future storage of documents. Tyler added this would require a programming change or upgrade to the entire document management system and is more than a date forward, it is when the clerks believe they can implement. Judge Munyon understood and knew the Odyssey and the Clericus counties have upgraded their system. Ken Nelson noted this is recommended as a means of filing the document. The Portal accepts documents filed in Word, Word Perfect and PDF formats. The Portal does not accept TIFF documents; however, the Portal converts documents to TIFF. This recommendation is not asking for any changes, only to work towards this format direction. Judge Munyon added, ultimately it will require some systems to be modified to protect the intelligence of the incoming document from the Portal. Steve stated the purpose is not for the clerks to completely replace their CMS systems and not be aware of what the future formatting will be. Currently, clerks can still store in TIFF. Murray suggested a timeframe be determined and inquired on the expense of technological fixes that are required to have the Portal convert the documents to an acceptable PDF format. Metadata is removed when documents are stored as a TIFF; therefore, filers should move away from this format. A timeframe should be established when the Portal can discontinue converting TIFF documents. Judge Munyon stated the original mission of the Document Storage Workgroup was to establish long-term document storage standards, as well as timeframes for implementation. Steve stated there are two significant issues that need to be resolved before the workgroup can finalize its task. The first hurdle is the document creator that does not have the interest or the education to know how to file appropriate documents. The second hurdle is the costs to the clerk's office. Estimates and timeframes will need to be further researched. Murray commented on the Portal's ability to convert different formatted documents to PDF's. One of the goals could be accomplished if the conversion process is halted and filers are required to file in a PDF format. Murray suggested the Florida Bar's Board of Governors Technology Committee could assist in the educational aspect. Brent Holladay stated it is estimated to cost the clerks 17 million dollars to upgrade the clerks' systems statewide. It is projected to take a 3 to 5 years to implement. Once the standards can be sent out to the vendors, the clerks should start evolving their systems to this storage format. To see progress, the change has to begin at the attorneys and go all the way through to the clerks' document delivery.

MOTION CARRIED UNANIMOUSLY

Judge Munyon tasked the Document Storage Workgroup to finalize the standards document. Once completed, the standards will be referred to the Technical Standards Subcommittee for review. At that time, the Technical Standards Subcommittee can refer any issues that need to be addressed in the future to the respective subject matter subcommittees.

### **AGENDA ITEM XV. Standards Consolidation Workgroup Update**

- a. Jannet Lewis said the Workgroup worked with several subcommittee chairs on updating various parts of the consolidated standards document and thanked them for their work. There are a few updates that require FCTC approval. The standards are separated into distinct major parts and renumbered in a user-friendly way for reference purposes. Jannet went through each section and noted the recommended modifications.

Jannet stated Section I-Purpose, gives a high level explanation of what the consolidated standards are and gives a brief background on the governance authority of the FCTC to update these standards. The RJA Joint Workgroup assisted with Section 1.1 and was condensed down to simplify the language.

#### **Motion for the FCTC to accept the changes in Section 1 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Robert Hilliard  
MOTION CARRIED UNANIMOUSLY

Jannet stated Section II-Portal Technology Standards was previously referred to as E-filing Standards; however, the Portal provides functionality that extends beyond e-filing. The RJA Joint Workgroup assisted with updating this section as well since it has the most impact on the rules of judicial administration. Section 2.2 Electronic Transmission and Filing of Documents was added to enhance the definition of the Portal. Section 2.3.15.3 Confidentiality and Sensitive Information and 2.3.14 Docket Numbering was previously approved by the FCTC and the language was added for these sections. Section 2.6 ADA and Technology Compliance was in multiple standards documents. In order to reduce redundancy, an ADA and Technology Compliance appendix was added.

#### **Motion for the FCTC to accept the changes in Section 2 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Christina Blakeslee  
MOTION CARRIED UNANIMOUSLY

Jannet stated Judge Perkins assisted with Section 4-Functional Requirements for Court Application Processing System. Performance areas of this section were cleaned up to elude from the foreclosure performance measures. Section 4.6.4.2 was clearly defined with single word and multiple word searches. The reporting and statistics section has not been completed at this time, as there will be major updates in this section.

**Motion for the FCTC to accept the changes in Section 4 of the Florida Supreme Court Technology Standards as presented.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Terrence Perkins  
MOTION CARRIED UNANIMOUSLY

Jannet stated these changes will be incorporated into the final draft of the *Florida Supreme Court Technology Standards* document, as well as the appendix being updated. Jannet recognized Lakisha Hall for keeping up with all of the changes to the consolidated document, as well as changes to the original sets of standards.

**Motion for the FCTC to recommend the Florida Supreme Court Technology Standards document be sent to the Supreme Court for review and approval, in the current form.**

MOTION OFFERED: Jannet Lewis  
MOTION SECONDED: Judge Terrence Perkins  
MOTION CARRIED UNANIMOUSLY

Jannet stated discrete hyperlinks to rules or other documents referenced throughout the standards will be added. Jannet recognized Noel Chessman, who is working with the Florida Bar and OSCA webmaster to insert hyperlinks on the specific technology standard or rule they are referencing. Noel demonstrated the hyperlinks on the Florida Bar and the Florida Courts websites. In each source document, an anchor was inserted to point to the specific standard or rule that is being referenced. Jannet suggested looking at formalizing staggered schedules to keep the consolidated standards up-to-date once they are approved.

**AGENDA ITEM XVI. FCTC/RJA Joint Workgroup Update**

- a. Murray Silverstein pointed out the local administrative order in the Twelfth Judicial Circuit that does not require the clerks or the courts to utilize email service and requires paper copies be submitted and disseminated by mail.
- b. Judge Stephens discussed the on-going project of the RJA's Subcommittee B on changing the Rules 2.515 Signature and Certificates of Attorneys and Parties, 2.516 Service of Pleadings and Documents, and 2.525 Electronic Filing from the transitional rules that were created at a time when the e-filing system was not ultimately formed. Judge Stephens referred to Subcommittee B's report that deliberately omits any proposed rule language in

order to keep the focus on the objectives at the conceptual level. The following principles were proposed:

1. The rules must protect and serve the existing principles and the newly developed practices which are expected to be persistent. Any policy change must be transparent.
2. The rules must be logically organized and simply written, and function as part of the larger system.
3. Technical matters likely to change should not be in the rules, but in the FCTC standards.
4. The rules will eliminate unnecessary language.

Judge Stephens noted some of the enumerated problems with the current rules. There is a service rule with a filing provision and a filing rule with a service provision. A signature rule, but also a signature provision in the service rule. The filing provision of the service rule says “all documents must be filed” when in fact many documents should be served but not filed. Rules are indecipherable to unrepresented parties and even to some attorneys. Accordingly, the general objectives are to organize, modernize and simplify. Subcommittee B would like to have the approval in general, from the FCTC, to ensure the correct path is being taken. Judge Stephens will present the rules to the FCTC for approval in advance of the rules being presented to the Supreme Court for approval.

### **AGENDA ITEM XVII. Clerk E-Signatures**

Murray Silverstein discussed clerk e-signatures as part of the e-filing standards and inquired with the clerks if the necessity is there to expand rule 2.515 authorizing clerk’s e-signatures. Karen Rushing stated the representatives of the clerks support a rule authorizing the e-signatures of clerks. Tom Hall commented that the appellate court clerks have been issuing orders with e-signatures from the clerks for at least 15 years and includes Supreme Court summonses, which have not been contested by any of the sheriffs. A rule would be good for optional purposes. Murray suggested FCTC refer the clerk e-signature issue over to the RJAC for consideration. Chris Blakeslee noted the FCTC previously passed a motion to add a new section to the *Standards for Electronic Access to the Courts* for clerk signatures.

### **AGENDA ITEM XVIII. Original Documents**

Murray Silverstein stated that the list of documents required to be retained in paper is being analyzed by the RJAC to determine if the list should be reduced or to eliminate the retention of any paper documents. Chris Blakeslee inquired on the completion timeframe. Murray responded a request can be made to the RJAC for acceleration.

### **AGENDA ITEM XIX. Other Items/Wrap up**

With no further new business, Judge Munyon thanked the Circuit and County of West Palm Beach for hosting the meeting and advised the next FCTC meeting is scheduled for November 17-18, 2016 in Lake County, with the location to be announced at a later date.

**Motion to adjourn the FCTC meeting.**

MOTION OFFERED: Chris Blakeslee  
MOTION SECONDED: Laird Lile  
MOTION CARRIED UNANIMOUSLY

DRAFT



**FCTC**  
**Action Summary**  
**August 2016**

- FCTC approved a recommendation from the Abandoned Filings Workgroup that electronic notification be effectuated upon all original e-service recipients when a submission is returned to the correction queue, resubmitted or placed in the abandoned filings queue.
- FCTC approved a motion from the Access Governance Board to approve Polk County's request for a 90-day extension to allow the Public Defenders and State Attorneys to continue to use existing remote access applications while they finalize development of their AOSC16-14 compliant application.
- FCTC approved a motion from the Access Governance Board to approve Monroe County's Online Electronic Records Access application for Public Internet (Anonymous).
- FCTC approved a motion from the Access Governance Board to approve Broward County's Online Electronic Records Access applications for Attorney of Record, Commercial Purchasers of Bulk Records, and individuals registered for Subscriber Service.
- FCTC approved a motion from the Document Storage Workgroup to approve PDF/A-2 as the preferred document format and PDF/A-1 currently remain as an acceptable format.
- FCTC approved a motion from the Standards Consolidation Workgroup to accept Sections I, II, and IV changes to the consolidated standards document as stated.
- FCTC approved a motion from the Standards Consolidation Workgroup to send the *Consolidated Standards Document- [Draft Florida Supreme Court Technology Standards](#)* to the Supreme Court for review and approval.

# CAPS VIEWER PROGRESS REPORT– NOVEMBER 2016

## JUDGES UTILIZING THE CAPS VIEWER SYSTEM

Fifty-eight (58) counties/divisions have deployed their viewer in *either one or both* the civil and criminal divisions.

### SCHEDULED

- Six (6) counties/divisions have reported estimated deployment dates as follows:

Nassau	December 2016		Monroe	December 2016
Pasco (Civil)	December 2016		Collier	December 2016
Putnam	December 2016		Clay	2017
Miami-Dade (Civil)	December 2016		Duval	2017

*Note: Further deployment delays could result with lack of funding resources.*

### UNDETERMINED

- Three (3) Criminal divisions are undetermined:
  - Pasco** and **Pinellas** County’s criminal division continue to have delays in the criminal division deployment due to a lack of funding. With no sustainable state funding for technology, the 6<sup>th</sup> circuit obtained the JAWS code from the 13<sup>th</sup> circuit and contacted the Pinellas County Business Technology Services staff and the Pasco Clerk of Court IT Staff for assistance. Both entities have agreed to assist with expanding the JAWS development and are in various stages of discussion with the 13<sup>th</sup> Circuit.
  - Miami-Dade** County’s criminal division has been delayed until the county can deploy a new CJIS platform which supports the use of images. Until a CJIS platform is deployed, there is no anticipated deployment date.

## JUDICIAL FUNCTIONALITY WITHIN THE CAPS VIEWER

Thirty-eight (38) counties have the ability to electronically sign and file orders through their viewer.

### SCHEDULED

- Five (5) counties have reported anticipating deployment dates to further judicial functionality in their viewer as follows:

Citrus, Hernando, Sumter	November 2016		Lake	January 2017
Pinellas (Civil)	December 2016			

### UNDETERMINED

- Twenty (20) counties do not have the capability of electronically signing and filing orders through their viewer.
- Four (4) counties have only partial capability of electronically signing orders in their viewer.

### “LIVE” CAPS IMPLEMENTATION REPORT

An up-to-date status report of the CAPS viewer implementation matrix is maintained and published at <http://bit.ly/1S3WXA2>

# CAPS Viewer Functionality Matrix

									Legend:	CAPS viewer has capability to e-file/sign orders
										CAPSviewer scheduled to have or partially able to e-file/sign orders
										CAPS viewer not able to e-file/sign orders or viewer not deployed
Circuit/ County	CAPS Viewer System	Application installed	CAPS ability to e-sign/file orders	Deployed Divisions	Judiciary not able to e-sign/file through CAPS	CAPS e-file directly to local CMS (bypass Portal)	CAPS ability to receive orders	Clerk's CMS (civil/criminal)	Comments	
<b>1</b>										
Escambia	Mentis-v9.2	Yes	Yes	All	N/A	No	December 2016	Pioneer Benchmark	All 35 judges in the First circuit have the ability to electronically sign/file orders through the viewer. Will receive the SmartBench Proposed Order Module in December 2016. Once installed, Proposed Orders from the Portal will go directly into SmartBench.	
Okaloosa	Mentis-v9.2	Yes	Yes	All	N/A	No	December 2016	Pioneer Benchmark		
Santa Rosa	Mentis-v9.2	Yes	Yes	All	N/A	No	December 2016	Clericus		
Walton	Mentis-v9.2	Yes	Yes	All	N/A	No	December 2016	Clericus		
<b>2</b>										
Franklin	Mentis-v9.0	Yes	Yes	All	N/A	No	No	Clericus	No dates or plans to incorporate receiving orders into current CAPS viewer. The county budgets have been entered for 2016-2017. If required this will need to be after 2017-2018 county fiscal year or would need additional state funds to cover the cost of development, installation, and maintenance.	
Jefferson	Mentis-v9.0	Yes	Yes	All	N/A	No	No	Clericus		
Liberty	Mentis-v9.0	Yes	Yes	All	N/A	No	No	Clericus		
Wakulla	Mentis-v9.0	Yes	Yes	All	N/A	No	No	Clericus		
Gadsden	Mentis-v9.0	Yes	No	N/A	3	No	No	Creative Data Solutions	E-Sign & File Orders - No anticipated deployment date. Vendor has as a low priority. Upgrading to version 9.3 (which does allow sign & file).	
Leon	Mentis Civil-v9.2 Criminal-v9.0	Yes	Yes	County Civil Family Traffic Criminal	N/A	No	No	Pioneer Benchmark	All Leon Judges can log into the Leon Civil/Criminal environment; only 5 county & the Family Court Judges are actively using the system. Working with the Clerk's office on business workflow for other divisions.	
<b>3</b>										
Columbia	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus	Anticipate ability to receive orders from the Portal by December 2016.	
Dixie	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus		
Hamilton	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus		
Lafayette	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus		
Madison	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus		
Suwannee	ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	Clericus		
Taylor	Mentis/ ICMS-v3.0	Yes	Yes	All	N/A	No	December 2016	CDS/Clericus	Civil utilizing older version of Mentis, adapted for use with CDS platform. Chief Judge urging Clerk to convert civil to Clericus to come online with ICMS.	
<b>4</b>										
Clay	ICMS-v3.0	2017	N/A	N/A	7	No	No	Tyler Odyssey Clericus Aptitude Showcase	Circuit transitioning to ICMS. Anticipate viewer deployment in 2017.	
Duval	ICMS-v3.0	2017	N/A	N/A	55	No	No			
Nassau	ICMS-v3.0	December 2016	N/A	N/A	3	No	No	Clericus	Anticipate viewer deployment in December 2016.	
<b>5</b>										
Citrus	Mentis - v9.2	Yes	November 2016	N/A	7	No	No	Pioneer Benchmark	Receiving orders from Portal, according to Mentis, this feature is still in development. No anticipated date for deployment.	
Hernando	Mentis - v9.2	Yes	November 2016	N/A	9	No	No	Clericus		
Lake	Mentis - v9.2	Yes	January 2017	N/A	12	No	No	Aptitude Showcase		
Sumter	Mentis - v9.2	Yes	November 2016	N/A	4	No	No	Clericus		
Marion	Mentis - v9.2	Yes	Yes	All	N/A	No	No	Tiburon FACTS	Receiving orders from Portal, according to Mentis, this feature is still in development. No anticipated date for deployment.	
<b>6</b>										
Pasco	JAWS-v2.0	(Civil) December 2016 (Criminal - TBD)	No	N/A	24	No	No	Clericus	<ul style="list-style-type: none"> <li>Civil-anticipate installation by December 2016 and Criminal has no anticipated installation date.</li> <li>JAWS not online at all, due to lack of funding. At least a year or so to get a couple divisions online, e-signing/filing.</li> </ul>	

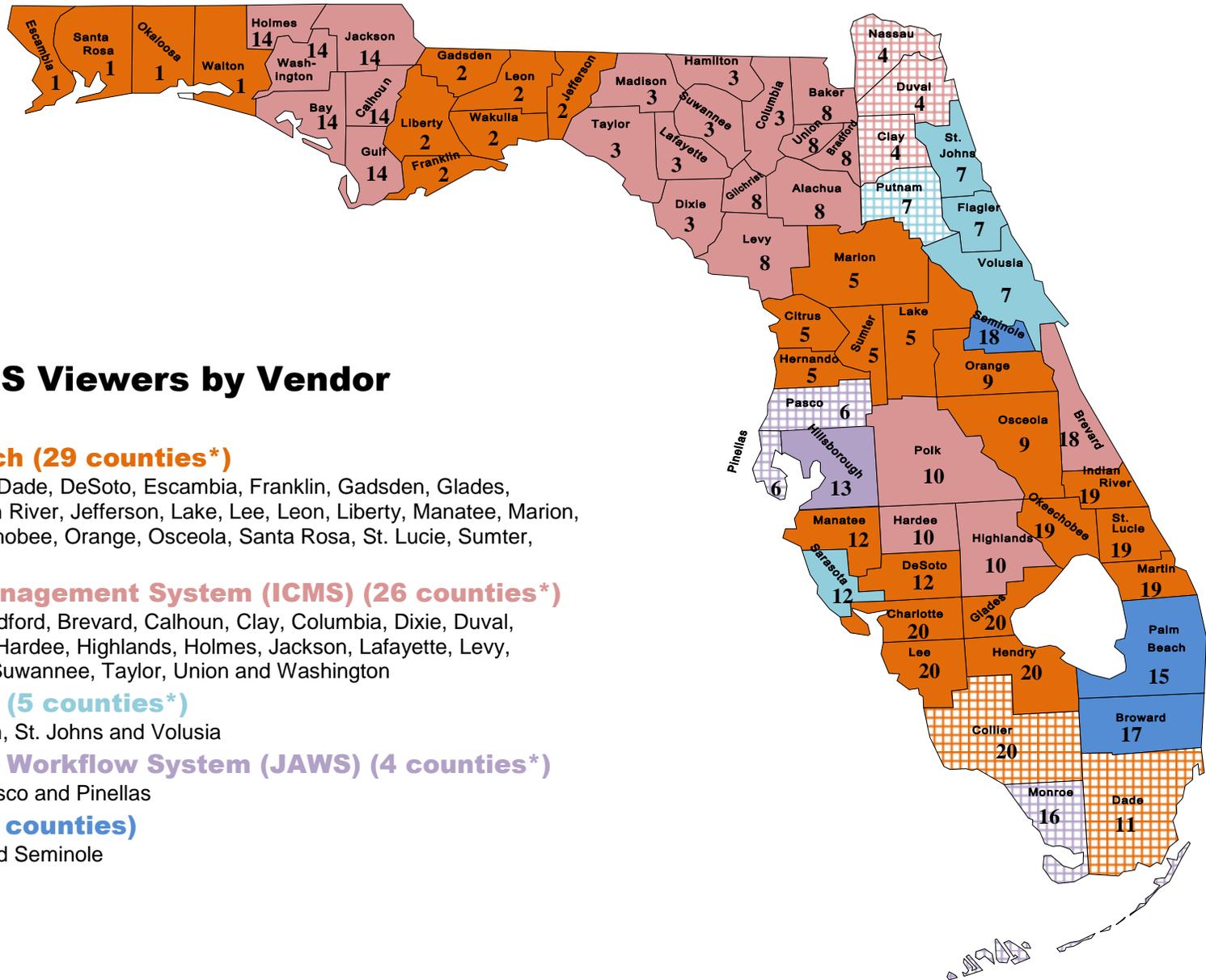
# CAPS Viewer Functionality Matrix

									Legend:	CAPS viewer has capability to e-file/sign orders
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										CAPS viewer not able to e-file/sign orders or viewer not deployed
Circuit/ County	CAPS Viewer System	Application installed	CAPS ability to e-sign/file orders	Deployed Divisions	Judiciary <i>not</i> able to e-sign/file through CAPS	CAPS e-file directly to local CMS ( <i>bypass Portal</i> )	CAPS ability to receive orders	Clerk's CMS (civil/criminal)	Comments	
Pinellas	JAWS-v2.0	(Criminal - TBD)	(Civil) December 2016)	N/A	55	Yes	Yes	Tyler Odyssey	<ul style="list-style-type: none"> <li>•Criminal has no anticipated date for deploying JAWS.</li> <li>•JAWS should have the capability to e-sign/file orders, by December 2016, for Circuit Civil, Family, County Civil and Small Claims. At least another year or so before other Court divisions come online and have the capability. No funding nor programmers on staff.</li> <li>•Four divisions within Pinellas County will file directly to the Clerk's CMS. •JAWS does not have the capability to receive orders from the Portal, but has its own built-in capability that allows attorneys with JAWS accounts to upload proposed orders to each Judge's work queue.</li> </ul>	
<b>7</b>										
Flagler	Pioneer-v2.6	Yes	Yes	All	N/A	Yes	January 2017	Pioneer Benchmark	Anticipate ability to receive orders from the Portal by January 2017	
St. Johns	Pioneer-2.6	Yes	Yes	All	N/A	Yes	January 2017	Pioneer Benchmark		
Volusia	Pioneer-v2.7	Yes	Yes	All	N/A	Yes	January 2017	In-House		
Putnam	Pioneer-v2.7	December 2016	No	N/A	5	Yes	January 2017	Clericus	Anticipate viewer installation by the end of 2016, which will include the judicial e-filing module.	
<b>8</b>										
Alachua	ICMS-v3.0	Yes	Yes	All	5	No	January 2017	Courtview	<ul style="list-style-type: none"> <li>•E-sign/file orders = 13 of 23 judges have the ability; 18 expected by end of month; rest expected by end of year 2016.</li> <li>•Receive Orders from Portal = Anticipate implementing by January 2017.</li> </ul>	
Baker	ICMS-v3.0	Yes	Yes	All	1	No	January 2017	Clericus		
Bradford	ICMS-v3.0	Yes	Yes	All	1	No	January 2017	Clericus		
Gilchrist	ICMS-v3.0	Yes	Yes	All	1	No	January 2017	Clericus		
Levy	ICMS-v3.0	Yes	Yes	All	1	No	January 2017	Courtview		
Union	ICMS-v3.0	Yes	Yes	All	1	No	January 2017	Clericus		
<b>9</b>										
Orange	Mentis-v9.2	Yes	Yes	All	N/A	No	No	Tyler Odyssey		
Osceola	Mentis-v9.2	Yes	Yes	All	N/A	No	No	Pioneer Benchmark		
<b>10</b>										
Hardee	ICMS-v3.0	Yes	Yes	All	2	No	No	Clericus	<ul style="list-style-type: none"> <li>•All judges will have the ability to e-sign/file through the viewer, once it is set up. Currently, setting up a pilot for form orders.</li> <li>•Ability to receive orders will be phase II of the pilot regarding proposed orders. No anticipated deployment date.</li> </ul>	
Highlands	ICMS-v3.0	Yes	Yes	All	6	No	No	Clericus		
Polk	ICMS-v3.0	Yes	Yes	All	38	No	No	New Vision		
<b>11</b>										
Dade	Mentis-v9.4	(Civil-December 2016) (Criminal - TBD)	No	N/A	145	No	No	Odyssey/ CJIS	<ul style="list-style-type: none"> <li>•Anticipate Civil deploying 9.4 by December 2016. Criminal deployment is to be determined.</li> <li>•Currently, training all the Circuit Civil and Probate divisions on the use of 9.4 which has the capability to e-sign/file orders through viewer. As judicial units are trained, will go-live to begin e-filing. Deploy to County Civil next.</li> </ul>	
<b>12</b>										
DeSoto	Mentis-v9.2	Yes	E-sign only	All	2	No	Yes	Clericus	All judges and divisions have the capability to electronically sign but not e-file orders.	
Manatee	Mentis-v9.2	Yes	E-sign only	All	13	No	Yes	Clericus	Plan to start working with the Manatee Clerk and Mentis on e-filing signed orders soon.	
Sarasota	Pioneer	Yes	No	N/A	16	Yes	No	Pioneer Benchmark	Sarasota County is planning to e-file locally.	

# CAPS Viewer Functionality Matrix

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Circuit/ County	CAPS Viewer System	Application installed	CAPS ability to e-sign/file orders	Deployed Divisions	Judiciary <i>not</i> able to e- sign/file through CAPS	CAPS e-file directly to local CMS ( <i>bypass Portal</i> )	CAPS ability to receive orders	Clerk's CMS (civil/criminal)	Comments	
<b>13</b>										
Hillsborough	JAWS - v2.0	Yes	Yes	All	N/A	Yes	No	Tyler Odyssey		
<b>14</b>										
Bay	ICMS-v3.0	Yes	No	N/A	13	No	No	Pioneer Benchmark	Currently, working with the 8th circuit on deploying the ability to e-sign/file orders as well as, the ability to receive orders from the Portal.	
Calhoun	ICMS-v3.0	Yes	No	N/A	2	No	No	Clericus		
Gulf	ICMS-v3.0	Yes	No	N/A	2	No	No	Clericus		
Holmes	ICMS-v3.0	Yes	No	N/A	2	No	No	Clericus		
Jackson	ICMS-v3.0	Yes	No	N/A	3	No	No	Clericus		
Washington	ICMS-v3.0	Yes	No	N/A	2	No	No	Clericus		
<b>15</b>										
Palm Beach	JVS-v1.0	Yes	Yes	All	N/A	No	No	Aptitude Showcase	• Receive orders from the Portal = Uses a proposed order submission component that predates the portal's proposed order module and exceeds the portal module's functionality. All documents generated in this module are automatically submitted directly to the workflow queue in the judicial viewer.	
<b>16</b>										
Monroe	JAWS-v2.0	December 2016	No	N/A	8	Yes	No	Tyler Odyssey	•Anticipate CAPS viewer installation by December 2016. •Once installed, all judges will have the ability to electronically sign orders in all divisions. •Anticipate using a direct connection to a shared folder on the Clerk's server. The Clerk will then review and post to their CMS.	
<b>17</b>										
Broward	CMS-v1.0	Yes	Yes	All	N/A	No	No	Tyler Odyssey	•E-sign/file orders = Limited to specific template orders that are designed; Judges can e-file any scanned order. •Receive orders from Portal = No anticipated deployment date as no available staff to work on this functionality.	
<b>18</b>										
Brevard	ICMS-v3.0	Yes	E-sign only	All	30	No	No	Tiburon FACTS	Anticipate implementing the e-filing portion of ICMS by December 2016. Then will work on adding ability to receive orders from the Portal.	
Seminole	In-House	Yes	E-sign only	All	19	Yes	No	In-House	Only allows judges to sign orders electronically and works with the clerk's internally developed CMS.	
<b>19</b>										
Indian River	Mentis	Yes	Yes	All	N/A	No	No	Pioneer Benchmark	Viewer does not have the capability to receive orders from the Portal . Mentis is currently developing a Proposed Order Module that may be available in 2017. Costs are not known at this time.	
Martin	Mentis	Yes	Yes	All	N/A	No	No	Clericus		
Okeechobee	Mentis	Yes	Yes	All	N/A	No	No	Clericus		
St. Lucie	Mentis	Yes	Yes	All	N/A	No	No	Pioneer Benchmark		
<b>20</b>										
Charlotte	Mentis-v9.2	Yes	No	N/A	11	No	No	Pioneer Benchmark	Only provided enough funding to partially implement the viewers in the circuit. Without any additional State funding for this initiative, will not be able to implement return integration and e-filing.	
Glades	Mentis-v9.2	Yes	No	N/A	3	No	No	Clericus		
Hendry	Mentis-v9.2	Yes	No	N/A	3	No	No	Clericus		
Lee	Mentis-v9.2	Yes	No	N/A	30	No	No	Tyler Odyssey		
Collier	Mentis-v9.2	December 2016	No	N/A	17	No	No	Aptitude Showcase		

# Map of Florida identifying CAPS Viewers by Circuit



## CAPS Viewers by Vendor

### Mentis/aiSmartBench (29 counties\*)

Charlotte, Citrus, Collier, Dade, DeSoto, Escambia, Franklin, Gadsden, Glades, Hendry, Hernando, Indian River, Jefferson, Lake, Lee, Leon, Liberty, Manatee, Marion, Martin, Okaloosa, Okeechobee, Orange, Osceola, Santa Rosa, St. Lucie, Sumter, Wakulla and Walton

### Integrated Case Management System (ICMS) (26 counties\*)

Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Clay, Columbia, Dixie, Duval, Gilchrist, Gulf, Hamilton, Hardee, Highlands, Holmes, Jackson, Lafayette, Levy, Madison, Nassau, Polk, Suwannee, Taylor, Union and Washington

### Pioneer/Benchmark (5 counties\*)

Sarasota, Flagler, Putnam, St. Johns and Volusia

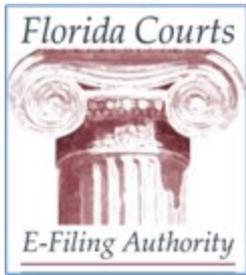
### Judicial Automated Workflow System (JAWS) (4 counties\*)

Hillsborough, Monroe, Pasco and Pinellas

### In-House System (3 counties)

Broward, Palm Beach and Seminole

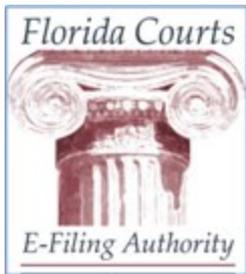
\* Counties colored in stripes reflect counties that do not have a CAPS Viewer application deployed or is only deployed in one division



# Florida Courts E-Filing Authority Board

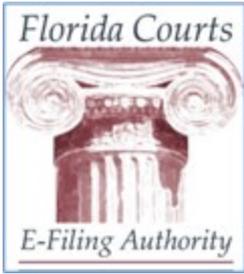
## E-Filing Portal Progress Report Period October 2016

Carolyn Weber, Portal Program Manager

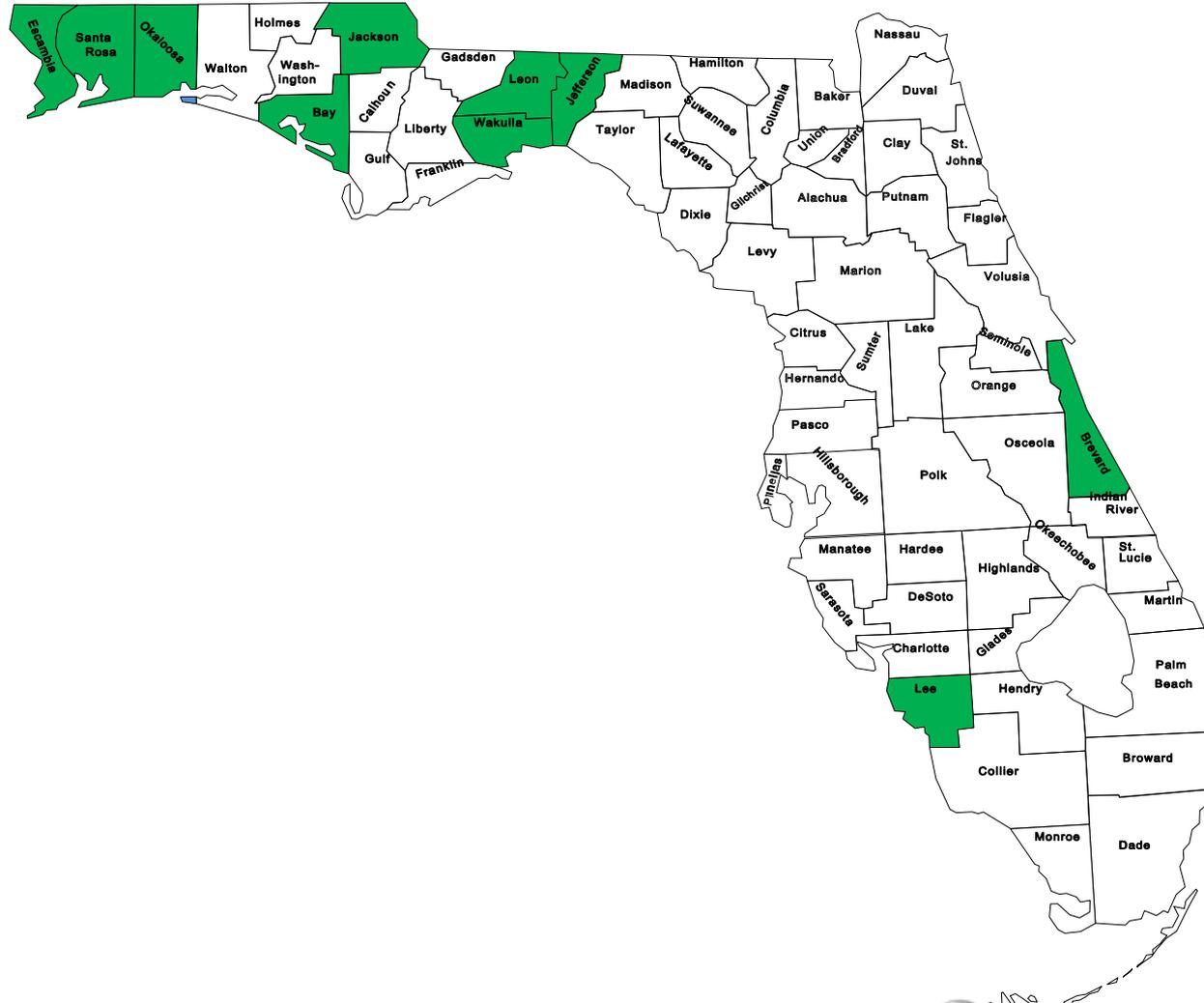


# October E-Filing Submissions

Recipients	Number
Submissions to Trial Court	1,140,590
Submissions to Department of Corrections	663
Submissions to Second District Court Appeal	2,872
Submissions to Florida Supreme Court	1,112
<b>Total E-Filing Submissions</b>	<b>1,145,237</b>
Total Individual Documents Submitted	1,676,758
Total Number of Pages	7,719,850
Judicial Circuits - Proposed Orders	452



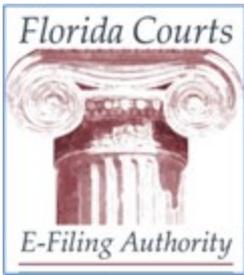
# Proposed Orders via Portal



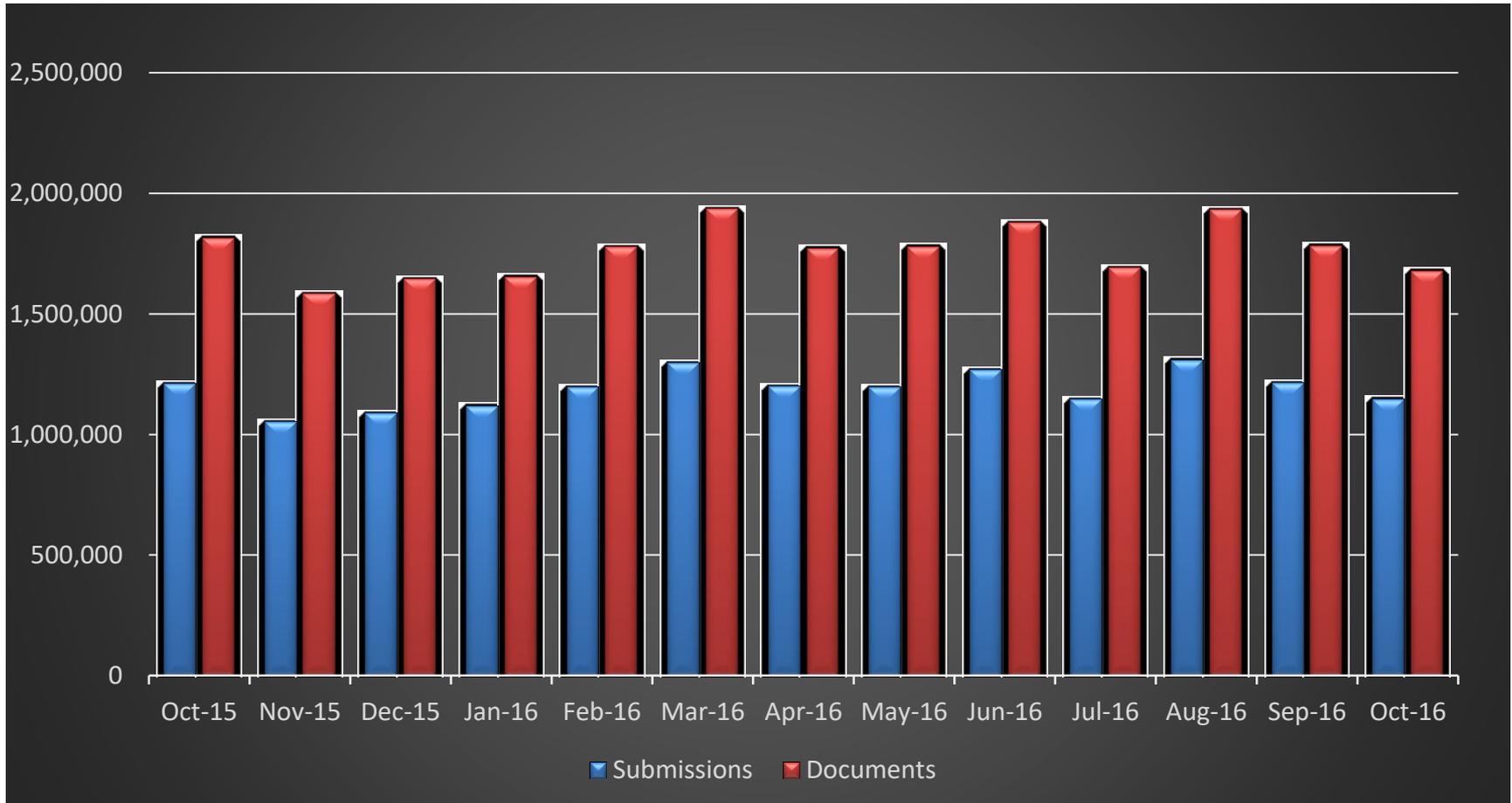


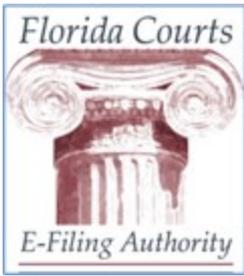
# Proposed Orders Received

Circuit	County	# Proposed Orders
1st	Escambia	16
	Okaloosa	1
	Santa Rosa	1
2nd	Wakulla	30
	Jefferson	13
	Leon	121
14 <sup>th</sup>	Jackson	27
	Bay	19
18 <sup>th</sup>	Brevard	195
20 <sup>th</sup>	Lee	29

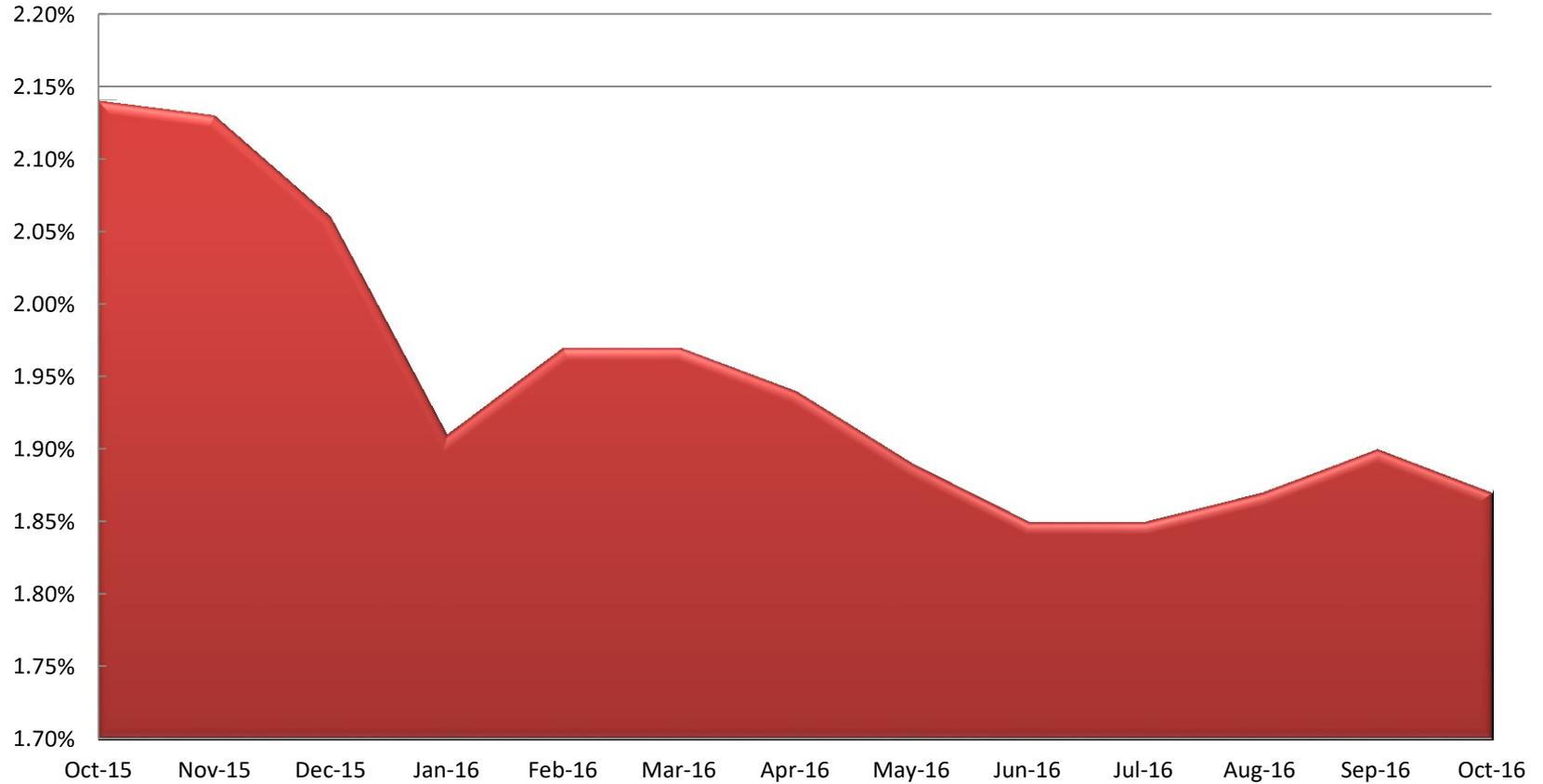


# Monthly E-Filing Submissions Oct. 2015 - Oct. 2016





# % Filings Returned to Correction Queue





# Incorrect Submissions

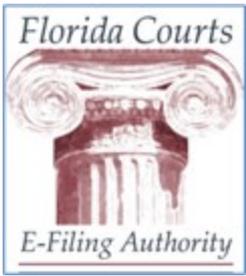
## Filer options with Incorrect Submissions

- 51% Corrected and Resubmitted
- 49% Create new Submission or Abandon the Filing

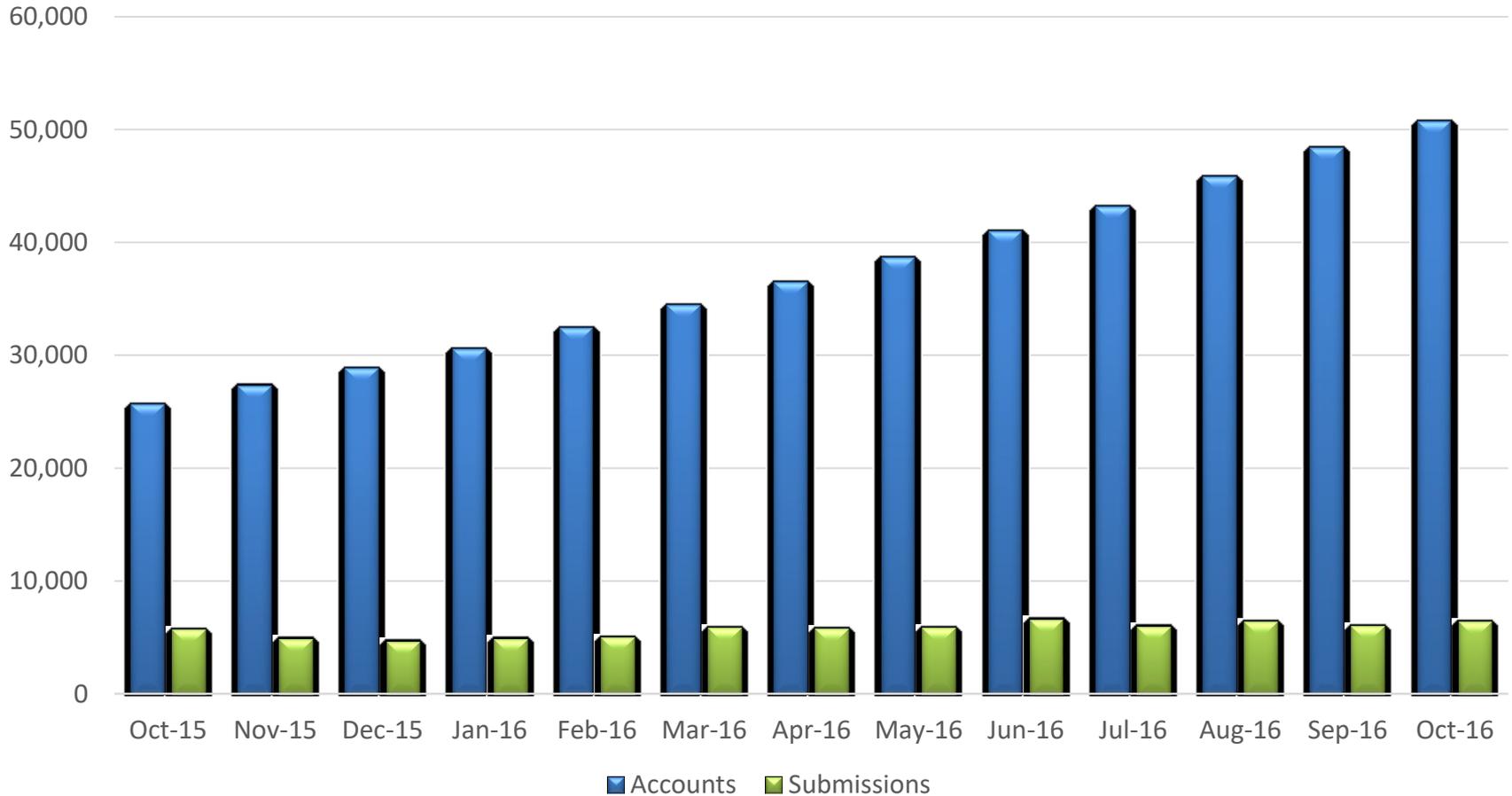


# Corrected Submissions

Filer Role	Total Filings	# Returned	% Returned	% Resubmitted
Attorney	1,021,632	19,364	1.89%	52.9%
Clerk	6,440	64	1.0%	51.6%
Court Reporter	1,440	53	3.68%	32.1%
Judiciary	51,170	679	1.32%	25.8%
Law Enforcement	4,714	51	1.08%	41.2%
Mediator	1,561	39	2.49%	33.3%
Mental Health	2,182	63	2.89%	25.4%
Process Server	39,770	361	0.91%	33.5%
Pro Se	6,356	632	9.94%	36.2%

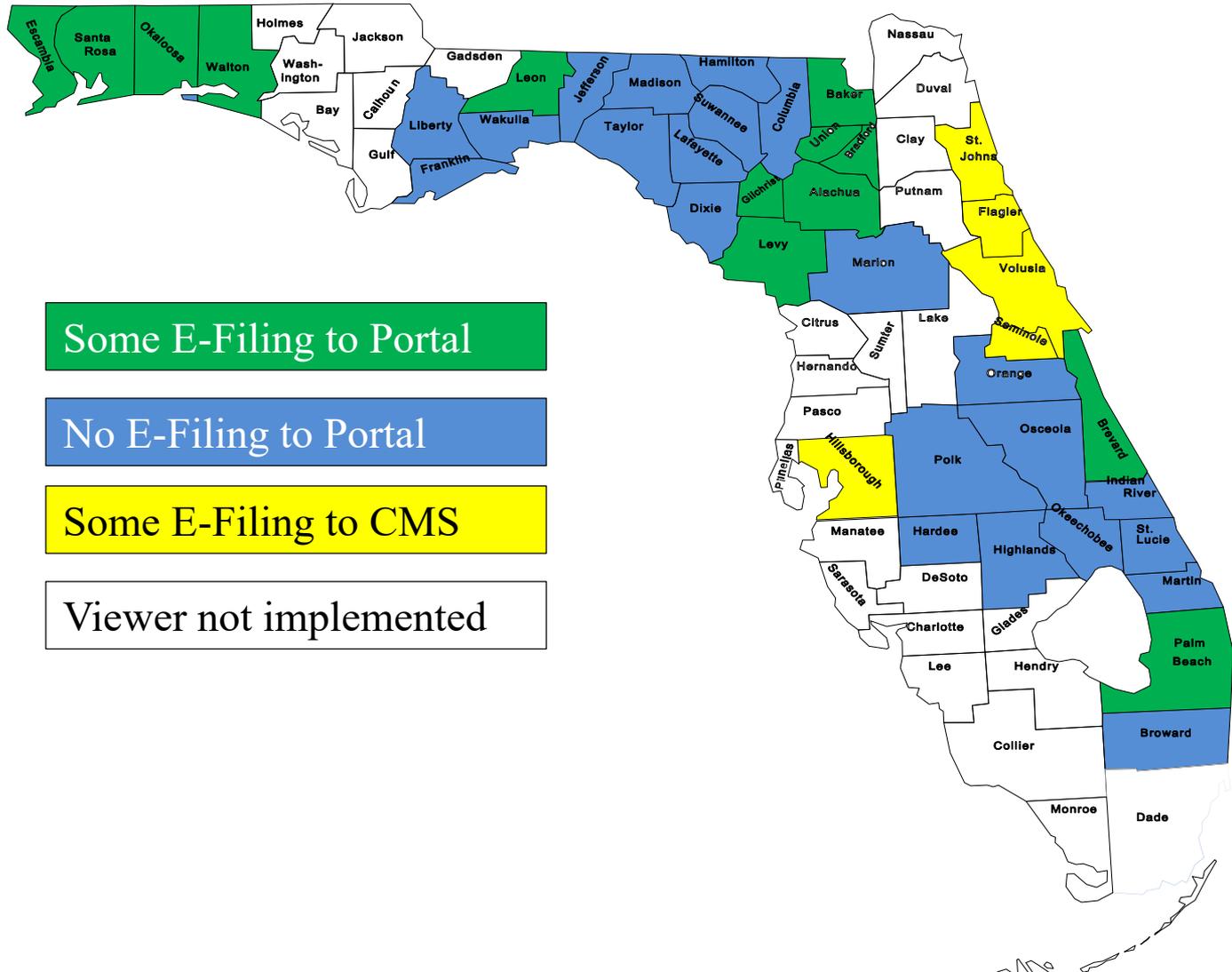


# Self-Represented Litigant Accounts and Submissions





# Submitting Orders via Viewer



Some E-Filing to Portal

No E-Filing to Portal

Some E-Filing to CMS

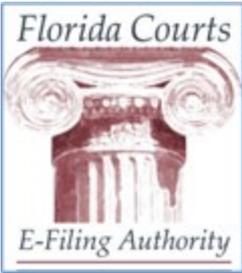
Viewer not implemented



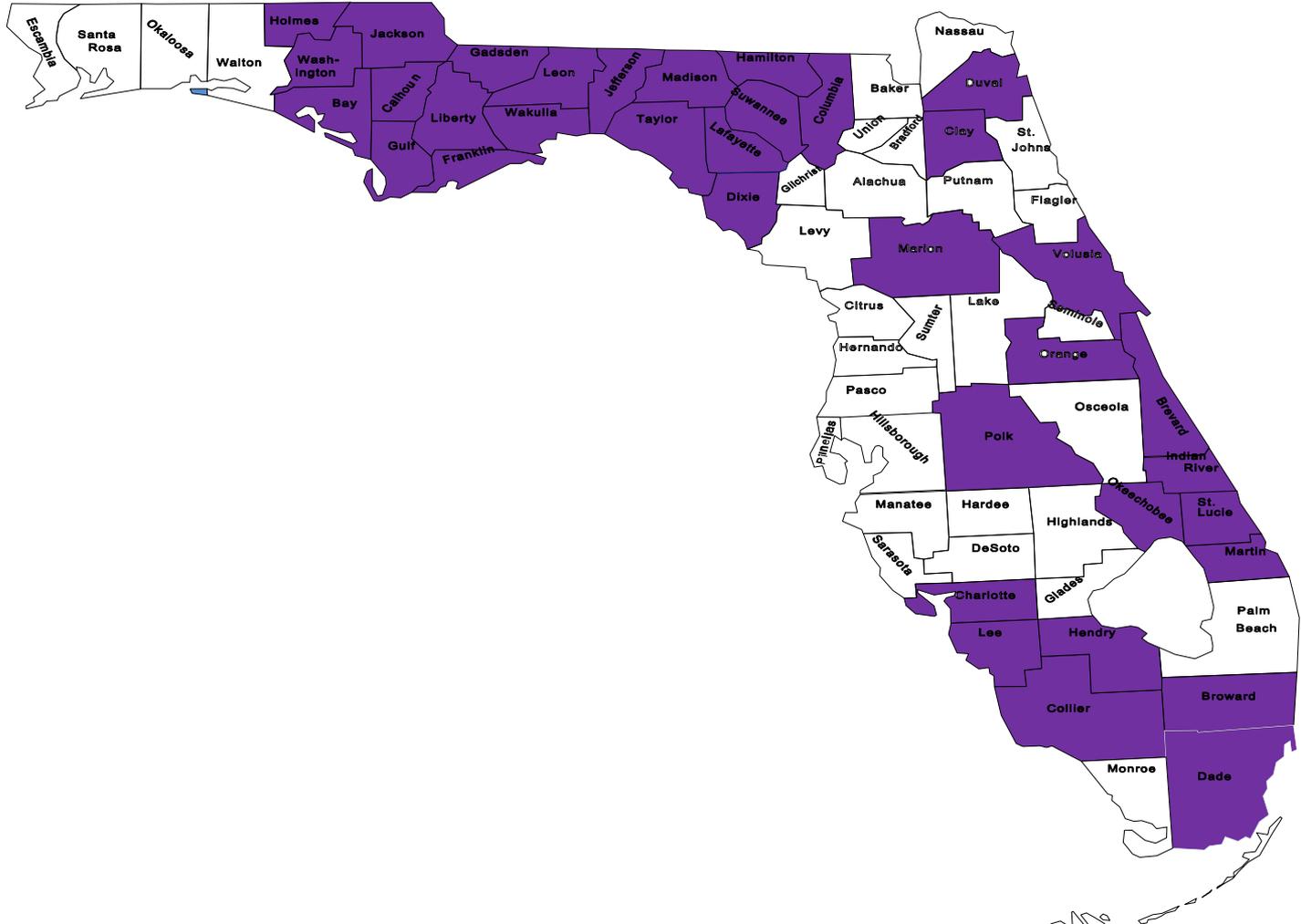
# # E-Filed via Viewer

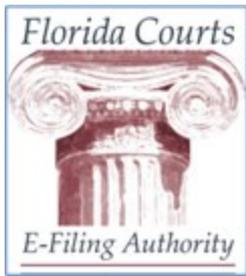
County	Filer Role	Submissions
Alachua	Judge	1,117
Baker	Judge	60
Bradford	Judge	96
Brevard	Judge	309
Escambia	Judge	7,731
Gilchrist	Judge	60
Leon	Judge	111
Levy	Judge	154
Okaloosa	Judge	3,804

County	Filer Role	Submissions
Palm Beach	Judge	10,090
	Gen Magistrate	1,249
	Hrg. Officer	193
Santa Rosa	Judge	1,712
Union	Judge	44
Walton	Judge	168



# Judicial Single Session Filing





# # Judicial Single Session Filings

County	Filer Role	# Filings
Bay	Judge	133
Brevard	Judge	5,327
	Hrg. Officer	434
Broward	Judge	114
Calhoun	Judge	2
Charlotte	Judge	184
Clay	Judge	71
Collier	Judge	90
Columbia	Judge	1,049
	Gen. Mag.	32
Miami-Dade	Judge	181
Dixie	Judge	151

County	Filer Role	# Filings
Duval	Judge	2,589
	Gen. Mag.	160
Franklin	Judge	79
Gadsden	Judge	286
Gulf	Judge	2
Hamilton	Judge	109
Hendry	Judge	1
Holmes	Judge	121
Indian River	Judge	989
	Gen. Mag.	8
Jackson	Judge	2
Jefferson	Judge	68



# # Judicial Single Session Filings

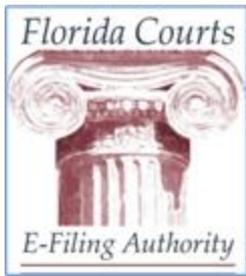
County	Filer Role	# Filings
Lafayette	Judge	2
Lee	Judge	1,418
Leon	Judge	1,623
	Gen. Mag.	84
Liberty	Judge	37
Madison	Judge	240
Marion	Judge	546
Martin	Judge	663
	Gen. Mag.	27
Okeechobee	Judge	101
	Gen. Mag.	3
Orange	Judge	2,986

County	Filer Role	# Filings
Polk	Judge	1
St. Lucie	Judge	1,836
	Gen. Mag.	205
Suwannee	Judge	1
	Gen. Mag.	8
Taylor	Judge	312
Volusia	Judge	1
Wakulla	Judge	248
	Gen. Mag.	16
Washington	Judge	153



# Portal Projects Team

Project	Status
<b>Criminal E-Filing</b>	Pasco County requested extension to April 1, 2017
<b>System-to-System E-Filing</b>	Providing technical support to IT departments implementing system-to-system e-filing. 12 Applications
<b>Maintenance Release Release 2017.01</b>	Promote to Production December 30, 2016 Begin spec writing and coding for promotion to Production April 20, 2017
<b>DCA 1, 3, 4, 5</b>	Work to bring in the remaining DCAs as they convert to eFACTS
<b>FL DOC</b>	Working with the DOC to assist them with saving the documents Proposed submission of VOP Warrants to the Judges Sending Commitment Packages through the Portal
<b>DIY Documents</b>	As approved, add A2J interviews to the Portal to assist the Self-Represented Litigant
<b>Proposed Orders</b>	Provide technical support to Judicial Viewer Vendors and IT to receive proposed orders from the Portal Provide training to Judiciary and Assistants



# Florida Courts E-Filing Authority Board

## Service Desk Report October 2016



# E-Portal Service Desk

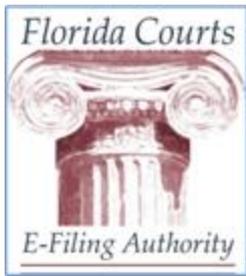
## Types of Incidents

- **Customer Service Incidents (Section 2)**

- Attorneys          Process Servers          Mental Health Professionals
- Pro Se                Mediators                Law Enforcement
- Judges                Court Reporters        Creditors
- Media                 Local Agent               State Agent
- Case Managers      Domestic Violence Case Initiators

- **Technical and System Support Incidents (Section 3)**

- Clerks Other Stakeholders



# Customer Service Incidents

## October 2016 Statistics

### Policies and Procedures Page 5

	<b>August 2016</b>	<b>September 2016</b>	<b>October 2016</b>
Incidents Received	2,773	2,452	2,385
Incidents Closed	2,756	2,447	2,362
Incidents Open at End of Month	34	22	41
Average Acknowledgement Time per Incident	.05 Days 25 Minutes	.04 Days 22 Minutes	.03 Days 18 Minutes
Average Resolution Time per Incident	.10 Days 54 Minutes	.10 Days 54 Minutes	.10 Days 52 Minutes
# of Filings	1,299,489	1,206,034	1,138,789
# of Documents	1,922,737	1,774,912	1,616,200

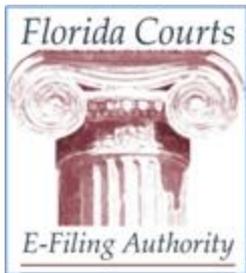


# Judge Incidents

## October 2016 Statistics

### Policies and Procedures Page 5

	<b>August 2016</b>	<b>September 2016</b>	<b>October 2016</b>
Incidents Received	5	7	60
Incidents Closed	5	7	60
Incidents Open at End of Month	0	0	0
Average Acknowledgement Time per Incident	.01 Days 4 Minutes	.04 Days 21 Minutes	.01 Days 4 Minutes
Average Resolution Time per Incident	.16 Days 1 Hour 27Minutes	.07 Days 35 Minutes	.03 Days 16 Minutes
# of Filings	53,640	53,133	51,170
# of Documents	57,357	56,598	54,607



# Pro Se Incidents

## October 2016 Statistics

### Policies and Procedures Page 5

	<b>August 2016</b>	<b>September 2016</b>	<b>October 2016</b>
Incidents Received	517	423	393
Incidents Closed	511	421	387
Incidents Open at End of Month	8	4	8
Average Acknowledgement Time per Incident	.05 Days 27 Minutes	.06 Days 27 Minutes	.03 Days 17 Minutes
Average Resolution Time per Incident	.11 Days 58 Minutes	.13 Days 1 Hour 3 Minutes	.10 Days 54 Minutes
# of Filings	6,368	5,994	6,356
# of Documents	11,479	10,867	11,219

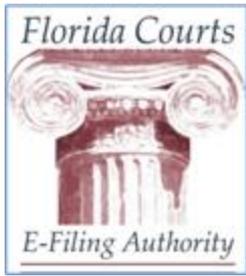


# Attorney Incidents

## October 2016 Statistics

### Policies and Procedures Page 5

	<b>August 2016</b>	<b>September 2016</b>	<b>October 2016</b>
Incidents Received	2,251	2,022	1,932
Incidents Closed	2,240	2,019	1,915
Incidents Open at End of Month	26	18	33
Average Acknowledgement Time per Incident	.05 Days 24 Minutes	.04 Days 20 Minutes	.03 Days 18 Minutes
Average Resolution Time per Incident	.10 Days 53 Minutes	.10 Days 52 Minutes	.09 Days 50 Minutes
# of Filings	1,176,750	1,088,793	1,021,632
# of Documents	1,781,116	1,639,454	1,534,350

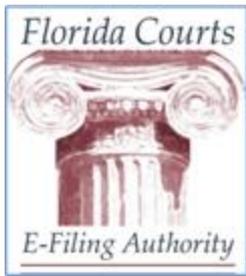


# Technical/System Support Incidents

## October 2016 Statistics

### Policies and Procedures Page 5

	<b>August 2016</b>	<b>September 2016</b>	<b>October 2016</b>
Incidents Received	463	437	323
Incidents Closed	453	432	322
Incidents Open at End of Month	13	18	22
Average Acknowledgement Time per Incident	.03 Days 17 Minutes	.04 Days 21 Minutes	.03 Days 15 Minutes
Average Resolution Time per Incident	.41 Days 3 Hours 44 Minutes	.44 Days 3 Hours 58 Minutes	.31 Days 2 Hours 45 Minutes
# of Filings	7,124	6,432	6,440
# of Documents	8,525	7,666	7,723



# Top 10 Types of Incidents For:

- **Attorneys**

Account Set-up

Case Validation Error

Login Issues

Referred To County

Case Number Assistance

E-Service Issue

Password Reset

Case Question

Filing Status Check

Pending Registration

- **Self-Represented Litigant/Pro Se**

Account Set-Up

Case Question

General Question

Referred To County

Case Look-up

Create New Filing

Login Issues

Case Number Assistance

Email Issues

Password Reset

- **Judges**

Password Reset

Profile Edit



# E-Portal Service Desk Initiatives

- Pending Filing Clean-Up:

Start Date	Count	End Date	Count
Nov. 1, 2015	78,000	October 31, 2016	1,530

- Testing Release 2016.02



*Florida Courts E-Filing Portal*  
[www.myflcourtaccess.com](http://www.myflcourtaccess.com)

# Release 2017.01

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*Recommendations Approved by the Florida Courts E-Filing Portal Authority Board for Release 2017.01*

## Document Organization and Contents

### Spreadsheet contents

Column Heading	Description
<b>Ticket #</b>	The reference number for each portal change request. This number is also used in subsequent release notes when the software is implemented.
<b>Description</b>	A short description of the portal change request
<b>Submitted By</b>	County or Agency Requesting the Enhancement
<b>Scope</b>	Either affects the Portal for the filers or Portal Review or the counties

### Release Schedule

Month	Activity
2/1/17	FCTC Meeting
2/13/17	FCCC Winter Conference
4/6/17	E-Filing Authority Board of Director's Meeting
4/21/17	2017.01 Portal Release
5/17/17	FCTC Meeting
6/12/17	FCCC Summer Conference, E-Filing Authority Board Meeting
8/2/17	FCTC Meeting
10/20/17	2017.02 Portal Release
11/1/17	FCTC Meeting

<b>Ticket #</b>	<b>Description</b>	<b>Submitted by</b>	<b>Scope</b>
417163	Add ability to arrange the order the additional fees are displayed	Alachua	Fees
491309	Add Additional Fee Calculation Options to be set up on Docket Codes by Clerk Staff	Pasco	Fees
503503	Move information regarding fees input by the filer to the screen that actually require the fee	Pinellas	Fees
608409	Present Additional Fee Options for flat fee items in a more user friendly way	Alachua	Fees
710734	Add fees to doc types	Pinellas	Fees
825949	Requesting new key strokes added to Portal for code maintenance	Alachua	Admin
850923	Confidential and Emergency Filings for criminal bulk filings	Pinellas	Batch Filing
850926	Pending Filing status for criminal bulk filings	Pinellas	Batch Filing
850927	Use integer value for criminal bulk filings	Pinellas	Batch Filing
856280	Set up web service for SA & PD to receive E-service instead of by email	Batch Filing	Filer Interface
882164	County would like to have a calculation added to the Portal that will calculate the deed/certificate	Attorney	Fees
893000	Fee Code enhancement	Miami Dade	Fees
901541	Give local review counties the ability to move Pending Filings to the Pending Queue from Portal Adr	Pinellas	Local Review
901564	Add column to Organization submissions and fees page to include the submitting filer's name	FCCC/Atty	Filer's Interface
902001	My Cases page - be able to enter part of the Court case number to search	FCCC/Atty	Filer's Interface
903833	Add document size column to Portal review	Seminole	Portal Review
914073	Add a Mark as Filed button to the Filing by Status screen	Hernando	Portal Review
915309	Modify division labels to include location numbers	Miami-Dade	Admin
916747	HTML5 based Judicial Review and Administrative Functions	FCCC	Admin
922484	Requesting a timed action that shuts down xml transmissions	Palm Beach	Portal Review
924027	Enlarge check boxes so that they are easier to check	Alachua	Filer's Interface
928853	Collecting Registry Fees	Alachua	Fees
938157	Add submitting proposed orders to batch filing process for SA/PD	SA/PD	Batch Filing
938158	Submissions returned to Correction Queue, send email notification to the E-service List recipients	FCTC	Admin
940864	Recipients added by a Judge filer to the E-service list should show to all filers so they can be select	Brevard	E-service
943737	Request the option to mark an additional fee option as required	Broward	Fees
944413	Add a notation to the search filings results set screen to show if a filing is a new case	Walton	Portal Review
945644	Alphabetize drop down list	Miami-Dade	Filer's Interface
946068	Add emergency filings notifications to the security roles screen	Collier	Portal Review
946566	Filer role has its own column in Search Filings report or alternatively add icon for Pro Se filer role	Palm Beach	Pro Se
948299	Create Dept of Health interface like DOC/Circuit so Clerks can send weekly/monthly reports electro	FCCC	Admin
948665	Display emergency document description selected and emergency filing selected in the audit trail	Miami-Dade	Portal Review
952054	Move 'save' button on the My Cases page up on the page	FCCC	Filer's Interface

## Donna Bridgewater

---

**From:** Beth Allman <allman@flclerks.com>  
**Sent:** Wednesday, June 15, 2016 3:38 PM  
**To:** Donna Bridgewater  
**Cc:** Beth Allman  
**Subject:** RE: Florida Courts E-Filing Portal - Attorneys Opting out of Service

Dear Ms. Bridgewater:

Thank you for your email and the copy of which that was sent in a letter. I regret I have been out of the office the better part of the past few weeks.

This policy of allowing attorneys to opt out of the automatic service the Florida Courts E-Filing Portal generates was adopted by the Florida Court Technology Commission. Your concerns should be addressed to them. Specific examples of where attorneys have abused this would, very likely, be welcomed by the Commission.

You can contact the Commission by writing to the Commission Chair – The Honorable Lisa Munyon.

Her address is:

The Honorable Lisa T. Munyon  
Orange County Courthouse  
425 N. Orange Avenue  
Orlando, FL 32801

Sincerely,

*Beth Allman*

Beth Allman  
Florida Court Clerks & Comptrollers  
3544 Maclay Blvd.  
Tallahassee, FL 32312  
(850) 921-0808

8-2-16  
This is a continuing problem. -  
Another issue is non-  
court reporters, i.e. mediators,  
added to Portal for  
"service" - when  
they should  
not be.  
db

---

**From:** Donna Bridgewater [<mailto:d.bridgewater@davis-giardino.com>]  
**Sent:** Tuesday, May 31, 2016 10:56 AM  
**To:** [allman@flclerks.com](mailto:allman@flclerks.com)  
**Subject:** Florida Courts E-Filing Portal - Attorneys Opting out of Service  
**Importance:** High

Dear Ms. Allman - I am all over the Florida E-Filing Portal website, but cannot find any specific email address to address certain issues for the ePortal. As attorneys of record and staff for attorneys of record, we are required to "serve" documents on counsel of record. The ePortal is allowing attorneys to "Opt out of service" and remove themselves from the ePortal. This is being done ABSENT AN ORDER ALLOWING THEM TO WITHDRAW AS COUNSEL, ABSENT A STIPULATION AND ORDER FOR SUBSTITUTION OF COUNSEL, ABSENT AN ORDER DISMISSING THEM OR THEIR CLIENTS.

We are being advised "the file is being transferred" - BUT NO NOTICE OF APPEARANCE IS THEN FILED, NO STIPULATION FOR SUBSTITUTION OF COUNSEL, ETC.

This needs to be addressed. Prior to the implementation of the E-Filing Portal - the Clerk's offices kept the attorneys of records up to date on the main page - if parties were no longer parties, or if attorneys were discharged, etc. - Now that the State of Florida has placed this in the attorney's hands, the Rules of Civil Procedure are not being followed.

Please forward this email to the appropriate committee to address this issue. No attorney should be allowed to "opt out of service" until they are discharged or dismissed, or there is an order substituting a new attorney in their place. The Courtesy of a reply is requested, with an indication as to who these emails should go to, are being forwarded to, or how you get committees to address the improper practice of attorneys in the field.

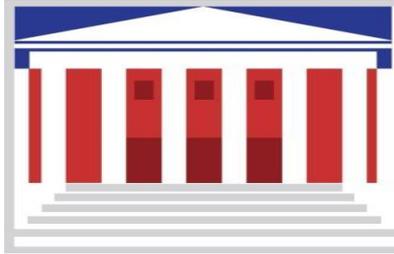
This issue definitely needs to be placed on the next agenda - if not sooner.

Donna Bridgewater, Paralegal & Legal Assistant  
to D. Brent Davis and Wayne T. Hrivnak  
Davis, Giardino & Hrivnak, P.A.  
201 Arkona Court  
West Palm Beach, FL 33401  
(561) 514-0305  
(561) 514-0309 (fax)

# FLORIDA COMMISSION



ON ACCESS TO  
CIVIL JUSTICE

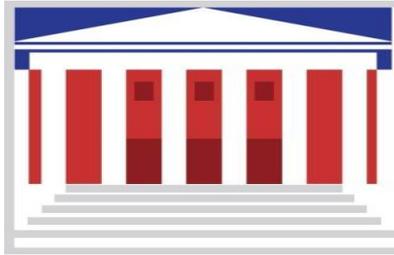


# FLORIDA COMMISSION

## ON ACCESS TO CIVIL JUSTICE

### **About the Commission:**

- The Florida Commission on Access to Civil Justice has been researching the unmet civil legal needs of disadvantaged, low-income, and moderate-income Floridians, considering Florida's legal assistance delivery system as a whole. The Commission was established Nov. 24, 2014, by administrative order of Florida Supreme Court Chief Justice Jorge Labarga.
- The Florida Commission on Access to Civil Justice submitted a final report to the Court on June 30, 2016, recommending for the establishment of a permanent Commission. Link: [Final Report](#).
- **\*\*\*On August 24, 2016 The Supreme Court met and considered the Final Report. The Court concurred with the recommendation and decided to re-establish the Commission as a Standing Commission; pending Administrative order\*\*\***



# **FLORIDA COMMISSION**

## ON ACCESS TO CIVIL JUSTICE

### **Commission Members:**

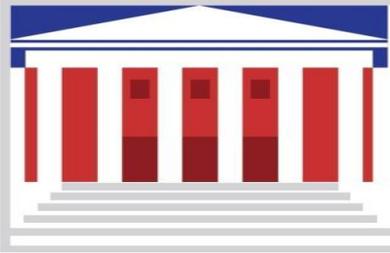
- Commission members (27 total plus 16 Ad Hoc members) include leaders from each branch of government, the legal community, the business community, and others whose expertise and knowledge bring broad-based perspectives to the issues at hand.

### **Commission Subcommittees:**

- The Commission is divided into five Subcommittees. Each Subcommittee is chaired by a member: Outreach, Access to and Delivery of Legal Services, Continuum, Technology, and Funding.

### **Commission Staff:**

- The Florida Bar, Office of State Courts Administrators and the Florida Bar Foundation.



# FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

## Commission Accomplishments

1. Access to Justice Knowledge Base. Link: [Kbase](#)
2. Statewide Gateway pilot project in Clay County (FLAG: Florida Legal Access Gateway).
3. The Commission recommended the Supreme Court revisions to Rule 12 of The Rules Regulating The Florida Bar (Emeritus rule). Florida Bar will be submitting a petition to the Court before October 31, 2016.
4. The Commission recommended the Supreme Court the adoption of the Conference of Chief Justices and Conference of State Court Administrators Resolution 5: Reaffirming the Commitment to Meaningful Access to Justice for All. The Supreme Court adopted the recommendation.
5. The Commission recommended to the Supreme Court: (1) that a Florida Civil Legal Resources Access Website be created, beginning with the work already done by the Continuum of Services Subcommittee; and (2) that the Florida Justice Technology Center be tasked with maintaining and updating the Resources Website.
6. The Commission recommended the Supreme Court approve Commission consideration of a *cy pres* rule in Florida. Matter referred to the Bar's Civil Rules Committee, research pending.
7. Access to Justice Self-Represented Litigants Survey. Link: [Survey](#)
8. Supreme Court unanimously approved to re-establish the Commission as a standing Commission.



# FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

- **ATJ Knowledge Base:** The Commission facilitated the creation of a searchable knowledge base containing information regarding available local, statewide, and national resources; reports issued by other state commissions; documentation of access to justice efforts that are occurring around the world; and reports prepared by Florida's Commission and its subcommittees.

rdpress/flaccessstojustice/atj-resources/

[About Us](#) | [Members](#) | [Administrative Order](#) | [Meetings](#) | [Q&A](#) | [Links](#) | **[ATJ Knowledge Base](#)**

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## FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

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## ATJ Knowledge Base

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### CONTACT US

Name:

Email:

Subject:

Message:



### Access to Justice KNOWLEDGE BASE HOME

Enter your search term here...

#### ATJ American Bar Association Reports, Papers, and Resources

##### About Access to Justice Commissions (4)

- [Hallmarks of Effective Access to Justice Commissions](#)
- [Definition of an Access to Justice Commission: ABA](#)
- [Definition of an Access to Justice Commission: ABA June 2014](#)
- [Staffing an Access to Justice Commission Examples](#)

##### ABA Reports, White Papers, and Resources (20)

- [ABA principles of a State System for The Delivery of Civil Legal Aid](#)
- [Designing and Launching a New Access to Justice Commission: ABA ...](#)
- [State Access to Justice Commissions: Creation, Composition, and Fur...](#)

### SCHEDULED MEETINGS »

**Continuum Subcommittee Telephone Conference Call Agenda**  
The Florida Commission on Access to Civil Justice: Continuum Subcommittee announces a telephone conference call to which all persons are invited. DATE AND...

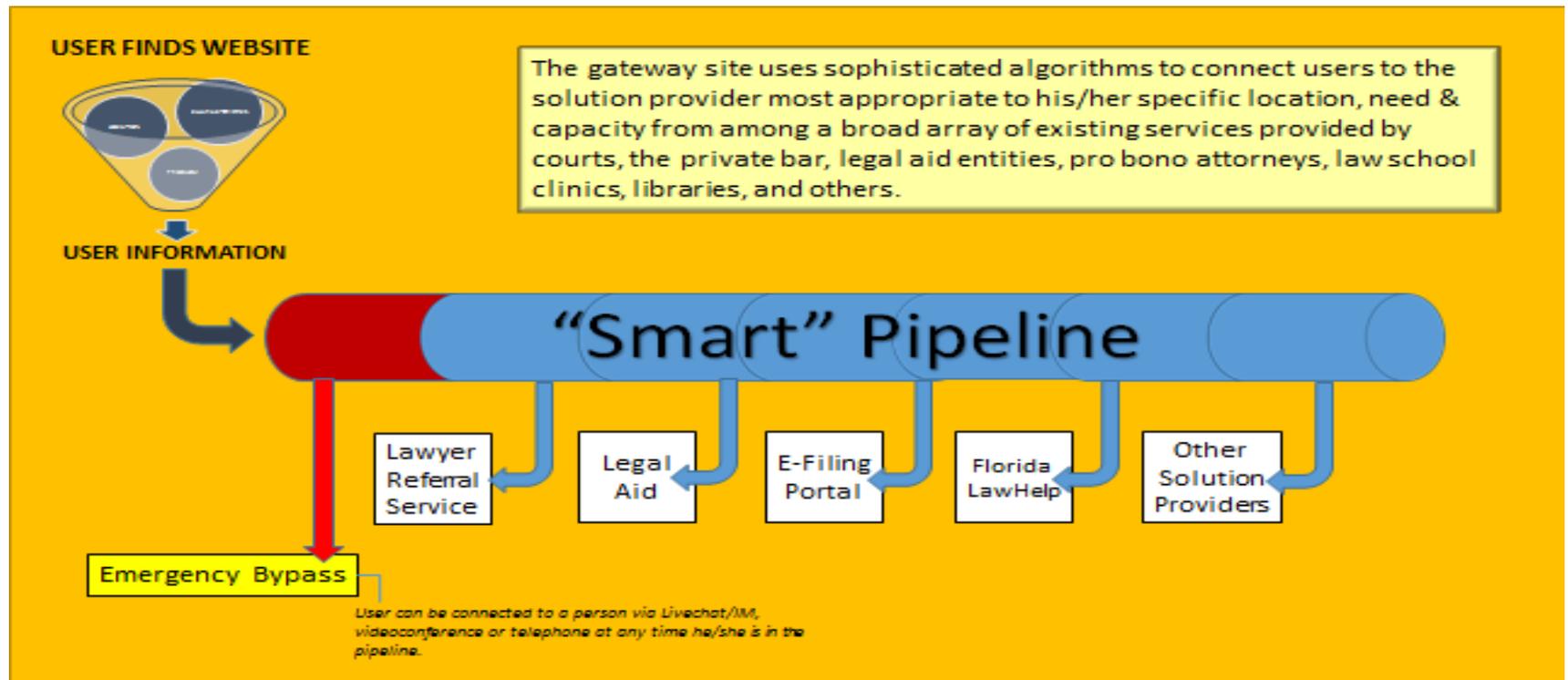
#### Meetings are public and all persons are invited.

Contact: Francisco-Javier Dignon-Greer, telephone 1-800-342-8060, extension 5793, email at [flaccessjustice@flabar.org](mailto:flaccessjustice@flabar.org).



# FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

- **Statewide Gateway pilot project in Clay County (FLAG: Florida Legal Access Gateway):** This pilot is a proof-of-concept that uses an exploratory process designed to: a) assess feasibility of a statewide triage system, b) identify factors that affect system success, and c) determine implementation strategies with the greatest potential for the access to civil justice service delivery system.





**FLORIDA COMMISSION**  
ON ACCESS TO CIVIL JUSTICE

# Self-Represented Litigant Survey

URL Link to the Survey: <https://www.research.net/r/2016AccessCommissionSurvey>

Tell us about your experience accessing civil court and self-help services in Florida's 67 counties [Give Feedback](#)

[About Us](#) [Members](#) [Administrative Order](#) [Meetings](#) [Q&A](#) [Links](#) [ATJ Knowledge Base](#) [Reports](#)

 **FLORIDA COMMISSION**  
ON ACCESS TO CIVIL JUSTICE

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## About Us

### Responding to the unmet legal needs of low- and moderate-income Floridians

The Florida Commission on Access to Civil Justice will study the unmet civil legal needs of disadvantaged, low-income, and moderate-income Floridians, considering Florida's legal assistance delivery system as a whole: staffed legal aid programs, pro bono services, innovative technology solutions, and other models and potential innovations. The commission will create strong collaboration among all groups

#### ON THIS SITE

- [Meeting Summaries](#)
- [Commission Members](#)
- [Subcommittee Chairs](#)
- [Ad Hoc](#)
- [Read The Administrative Order](#)
- [Q&A](#)
- [Links](#)
- [ATJ Knowledge Base](#)

#### MEETING NOTICES »

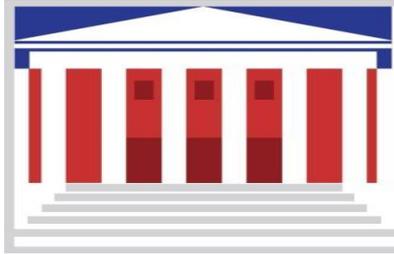
[Access to and Delivery of Legal Services Subcommittee Meeting – July 7](#)



**FLORIDA COMMISSION**  
ON ACCESS TO CIVIL JUSTICE

## **Purpose of the Self-Represented Litigant Survey:**

- This survey is designed to receive information from Floridians concerning their experience when accessing the civil court and self-help services in each of Florida's 67 counties. Self-help is defined as services that connect court users with assistance and provide access, information and resources to court users representing themselves.



**FLORIDA COMMISSION**  
ON ACCESS TO CIVIL JUSTICE

## **Importance of the Self-Represented Litigant Survey:**

1. Provide further information to the Commission for future Commission initiatives.
2. Analyze the self-represented litigants experience when accessing the civil court systems.
3. Identify barriers that impede access to civil justice.
4. Identify types of services/resources that should be available to the litigant.



## **FLORIDA COMMISSION** ON ACCESS TO CIVIL JUSTICE

### **Example Results as of August 2016:**

- 1) Knowledge about court procedures: 40% no knowledge, 32% very little, 20% some, and 8% had great deal of knowledge.
- 2) Knowledge of where to find help/resources: 76% did not, 20% did know, and 4% not applicable.
- 3) First time going to court on a personal matter: 75% yes, 21% no, and 4% not applicable.
- 4) Suffering any financial hardship: 88% yes and 12% no.
- 5) Which group did they receive assistance from: 30% law libraries, 9% pro bono attorneys, 4% legal aid, 4% local bar referral service, 2% Clerk of Court, 39% none, and 26% other.
- 6) Form instructions; simple to read and understand: 56% no, 22% yes, and 26% not applicable.



# FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

missionSurvey

## Florida Commission on Access to Civil Justice Self-Represented Litigant Survey

### Questionnaire

Thank you for taking the time to participate in this important survey from the Florida Commission on Access to Civil Justice. This survey is designed to receive information from Floridians concerning their experience when accessing the civil court and self-help services in each of Florida's 67 counties. Self-help is defined as services that connect court users with assistance and provide access, information and resources to court users representing themselves.

Be assured that your responses are completely anonymous. Responses to anonymous surveys cannot be traced back to the respondent. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

Please complete the following questions by checking the appropriate response category or by filling in the blank.

**1. Please indicate the county in which you are filing your case or other document. (If you have filings in more than one county, please complete a separate survey for each one.)**

**2. Prior to filing your case or document, what level of knowledge did you have about the court procedures?**

- A great deal of knowledge
- Some knowledge
- Very little knowledge
- No knowledge at all

**3. Was this your first time going to court on a personal matter?**

- Yes
- No
- Not applicable

**4. Prior to filing your case or document, did you know where to find help and/or resources?**

- Yes
- No
- Not applicable



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Enter City/Zip Code



List Locations



Map Locations

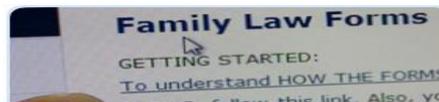
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## Florida Commission on Access to Civil Justice Self-Represented Litigant Survey

Authored By: Florida Commission on Access to Civil Justice

[Contents](#) [Information](#) [Survey Link](#)

### Information

This survey is designed to receive information from Floridians concerning their experience when accessing the civil court and self-help services in each of Florida's 67 counties. Self-help is defined as services that connect court users with assistance and provide access, information and resources to court users representing themselves.

Be assured that your responses are completely anonymous. Responses to anonymous surveys cannot be traced back to the respondent. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

**Survey Link :** [www.research.net](http://www.research.net)

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[Lawyer Referral Service](#)

[Help for homeowners](#)

The Florida Bar offers 47 **consumer pamphlets** as a service for consumers. These pamphlets are not a substitute for hiring an attorney, but they provide basic legal information about the topics they cover. Consumer Videos are also available on select topics.



Consumer Videos

[Consumer Alert - Individuals arrested for operating phony South Florida law firms](#)

#### Access to Justice

Share your experiences accessing the civil court and self-help services in Florida's 67 counties. Please [submit the anonymous Self-Represented Litigant Survey](#).





**FLORIDA COMMISSION**  
ON ACCESS TO CIVIL JUSTICE

- **Commission Information:**

- Visit the web site [www.flacesstojustice.org](http://www.flacesstojustice.org) for notices of the Subcommittee meetings and Commission meetings.
- Inquires please contact The Florida Bar Administrator for the Commission Mr. Francisco Digon-Greer, Esq., 850-561-5793 or email [fdigongreer@floridabar.org](mailto:fdigongreer@floridabar.org).

## Proposed Reasons for E-Filing Correction Queue

<b>Summary Drop Down List - Old Version - 20 Reasons</b>		Count of Summary Drop Down	Percentage
1	Incorrect / Missing Case Number / Case Style	87	12.22%
2	Wrong County / Jurisdiction	37	5.20%
3	Combined Filing - Separate Documents Must be Filed for Each Case/Party	53	7.44%
4	Document Illegible or Corrupt or Blank or Not Compliant with Standard	83	11.66%
5	Separate Filings - Combine Documents/Pages for Filing	16	2.25%
6	Unsigned Order / Correspondence to Court	29	4.07%
7	Mismatch on Case Type/Document Type Selected and Petition/Complaint/Document Filed	30	4.21%
8	Document incomplete	32	4.49%
9	Incorrect Summons for Case Type/Summons has Missing or Incomplete Information	14	1.97%
10	Indigency Denied / Fees Due	8	1.12%
11	Missing Information on Complaint/Petition/Document or Necessary Document Not Filed	40	5.62%
12	Missing Signature / Non Compliant Signature	36	5.06%
13	New Case Required for this filing	7	0.98%
14	Order Missing Information / Non Compliant	19	2.67%
15	Original Documents or Service Documents Must be Filed in Paper Format	20	2.81%
16	Other	81	11.38%
17	Per Request of Filer	27	3.79%
18	Previously Filed Document/Case	22	3.09%
19	Wrong Division	17	2.39%
20	Wrong Fee/Missing Fee	54	7.58%
<b>Grand Total</b>		<b>712</b>	<b>100.00%</b>

<b>New Version of Pending/Corrective Action Queue 12 Reasons</b>	
1	Incorrect or Missing Case Number   Case Style   Incomplete or Missing Document   Issue with Signature
2	Separate Documents Must be Filed for Each Case/Party or Combine Individual Pages in Single Document
3	Wrong County   Jurisdiction   Division
4	New Case Required for this filing
5	Unsigned Order   Correspondence to Court
6	Document Illegible or Corrupt or Blank or Not Compliant with Standard
7	Mismatch on Case Type/Document Type Selected and Petition/Complaint/Document Filed
8	Previously Filed Document/Case
9	Original Documents or Service Documents Must be Filed in Paper Format
10	Incorrect Summons for Case Type/Summons has Missing or Incomplete Information
11	Wrong Fee   Missing Fee   Fees Owed Due to Non-Indigent Determination
12	Other - w/free form text box

POK | Brevard Comments.

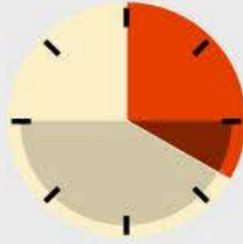
In addition, there are a few items we'd like to discuss further with the group:

- Wrong Division
- New Case Required (seen more in family – Brevard local AO)
- Judicial Filing - Missing Information / Non-Compliant- if an order received from a judicial filer has an incorrect or missing case number, missing signature, or is missing a critical element, then the clerk will move to the correction queue. Same process that occurs with paper.
- Pro Se Filer cannot file without an attorney per court order

# ABANDONED FILINGS QUEUE



Filer submits filing to the Portal



Clerk moves filing to the Correction Queue (formerly Pending Queue) for correction

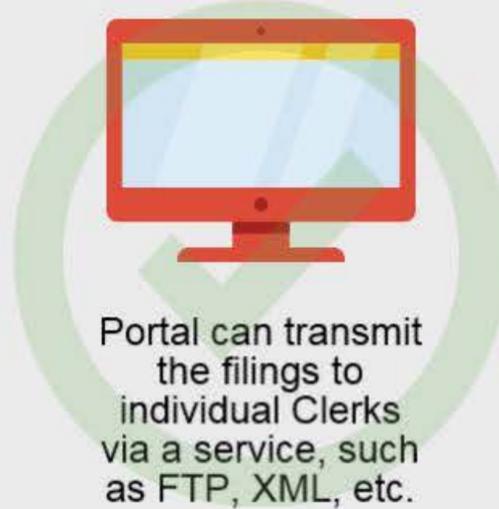


After appropriate time frame, uncorrected filing is moved to the Abandoned Filings Queue

**after placement in the Abandoned Filings Queue, two options have been proposed...**

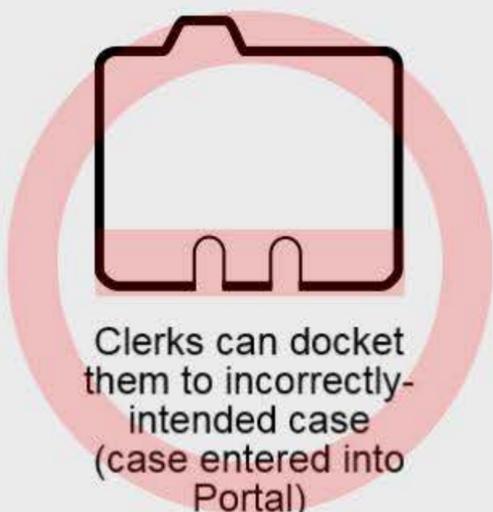


Individual Clerk may save the filings from the Portal (Portal review counties)

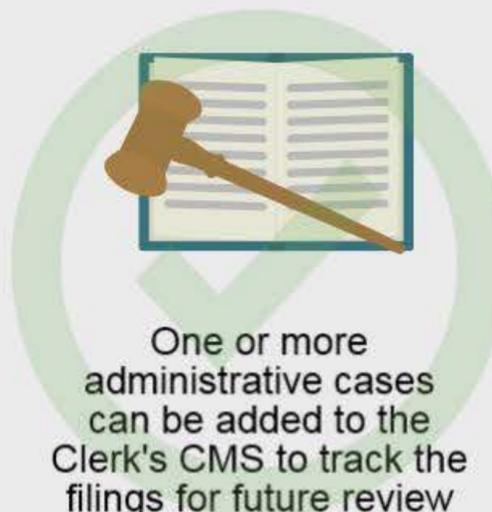


Portal can transmit the filings to individual Clerks via a service, such as FTP, XML, etc.

**...then one of three things may occur:**



Clerks can docket them to incorrectly-intended case (case entered into Portal)

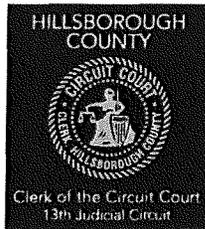


One or more administrative cases can be added to the Clerk's CMS to track the filings for future review



Clerk can save the filings in an electronic file by reference number for review, if requested

powered by



September 27, 2016

The Honorable Lisa T. Munyon, Chair  
Florida Courts Technology Commission  
c/o Office of the State Courts Administrator  
500 South Duval Street  
Tallahassee, Florida 32399-1900

Re: Hillsborough County Clerk of the Circuit Court Request for Authorization to Move out of On-Line Access Pilot Phase

Dear Judge Munyon:

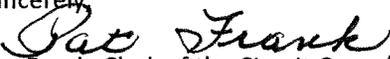
Pursuant to paragraph f. of the letter of authorization, dated September 17, 2015, I am requesting authorization to move the Hillsborough County Clerk Of Courts Office's online electronic records access system from the pilot phase into production and to discontinue the submission of regular monthly progress reports. Our online electronic records access system is in compliance with the Standards for Access to Electronic Court Records and the Access Security Matrix. I verified compliance through each of the following:

1. My office has completed the mandatory 90-day pilot period for the online electronic records access system.
2. My office has submitted at least three (3) monthly status reports to the Office of the State Courts Administrator's designated contact. Attached hereto is a combined summary of the monthly status reports for the duration of our pilot program (Attachment #1).
3. My office is in compliance with Administrative Order AOSC14-19 (amended May 23, 2014).
4. My office is in compliance with AOSC15-18.
5. My office is in compliance with the current Standards for Access to Electronic Court Records and the current Access Security Matrix that governs appropriate, differentiated levels of access to electronic court records. Attached hereto is a written description of the steps, processes and/or tools used to validate this compliance (Attachment #2).
6. My office has reported all incidents of inadvertent release and unauthorized access to confidential information, if any have occurred.
7. My office has taken the appropriate corrective actions necessary to address all reported confidential information related incidents and has ensured compliance with the amended AOSC14-19, AOSC15-18 and the security matrix.

I agree that if the Standards for Access to Electronic Court Records or the Security Matrix is amended or updated such revisions will be incorporated into my office's existing online electronic records access application. Further, I understand that the State Courts System will maintain the authority to audit the system, at its discretion, to ensure compliance with the Standards for Access to Electronic Court Records and the Security Matrix.

If you should have any questions, please let our office know.

Sincerely,

  
Pat Frank, Clerk of the Circuit Court/Comptroller  
Hillsborough County

## Attachment #2 to Certification Letter – Hillsborough

Description of the individual steps, processes and/or tools Hillsborough Clerk of Courts uses to validate that our online electronic record access system is in compliance and meets the standards outlined in AOSC 14-19, AOSC 15-18 and AOSC 16-14.

### Summary of System:

Through our in-house developed web-based portal, Hillsborough is providing internet access to replicated electronic images for the following user groups as limited by the Standards for Access to Electronic Court Records:

- Attorney of Record
- Self-Represented Litigants (Pro Se)
- Registered Users
- Anonymous Users

The following user groups are provided access under the Hillsborough County Justice Information System (“CJIS”) Agreement that has been in force in Hillsborough County since 1971, initially by special law (Chapter 71-684, Laws of Florida) and currently through an Interlocal Agreement among the Chief Judge, Clerk of the Circuit Court, Sheriff, State Attorney, Public Defender and the Board of County Commissioners. Authorized users include the various state and local agencies with a need to access court records:

- Judges and Authorized Court and Clerk’s Office Personnel
- Authorized State or Local Government Agencies
- Certified Law Enforcement Officers of Federal or State Law Enforcement Agencies Including State Attorneys Offices and State Attorney General’s Office
- Department of Children and Families Personnel, or Authorized Service Providers of the Agency

### Validation Steps:

Requirements from AOSC 14-19, AOSC 15-18 and AOSC 16-14, as well as commitments made in our On-Line Electronic Records Access Application as amended on May 28, 2015, were documented in our Application Requirements tool. This tool was used by our developers to build the system, and by our testers to validate the system. Critical components include the following:

- Registered Users submit a notarized request for access and are provided an authentication link to create a username and password
- Security of sensitive data at the data exchange level via firewalls that handle authentication, private routes, and encryption for direct access to our network
- A category of files are available via Viewable on Request (VoR)
- No display of URLs/links to documents

- Redaction of confidential information via a two-step redaction process, using aiRedact and manual review
- Search limited within an image, but not across images
- Search parameters limited to case type, case number, party name, citation number and date range; authenticated users have more robust search features
- Transactions are monitored and logged; CAPTCHA is used to restrict data mining operations

Attachment #1 – Hillsborough County

<b>Documentation of On-line Electronic Records Access Activities</b>	
<b>Final Status Report Summary</b>	
<b>County:</b>	<b>Hillsborough</b>
<b>Date:</b>	<b>09/23/2016</b>
<p>During the pilot period, statistical information and other reports were collected and provided to the Office of the State Courts Administrator (OSCA). report should reflect the aggregated totals from all of the monthly reports.</p>	
<b>Reporting Details</b>	
<b>Provide the following totals for all monthly status reports submitted during the pilot:</b>	
1.	Total number of images accessed by all users. 369,854
2.	Total number of images provided by Viewable on Request (VOR). 90,136
3.	Total number of registered users. 3,032
4.	Total number of registered users by access level. 2,567 Attorneys   239 Pro Se   226 Registered Users (non Attorney / non Prose)
5.	Total number of documents viewed by user access level. 203,191 Attorneys   4,847 Pro Se   18,406 Registered Users (non Attorney / non Prose)   143,410 General Public
6.	Total number of known incidents of inadvertent release of confidential information. None
7.	Total number of known incidents of unauthorized access to confidential information. None

The Honorable Lisa T. Munyon, Chair  
Florida Courts Technology Commission  
c/o Office of the State Courts Administrator  
500 South Duval Street  
Tallahassee, Florida 32399-1900

Dear Judge Munyon:

Pursuant to paragraph f. of the letter of authorization, dated March 3, 2015, I am requesting authorization to move the St. Lucie County Clerk of the Circuit Court Office's online electronic records access system from the pilot phase into production and to discontinue the submission of regular monthly progress reports. Our online electronic records access system is in compliance with the Standards for Access to Electronic Court Records and the Access Security Matrix. I verified compliance through each of the following:

1. My office has completed the mandatory 90-day pilot period for the online electronic records access system.
2. My office has submitted at least three (3) monthly status reports to the Office of the State Courts Administrator's designated contact. Attached hereto is a combined summary of the monthly status reports for the duration of our pilot program.
3. My office is in compliance with Administrative Order AOSC14-19 (amended May 23, 2014).
4. My office is in compliance with AOSC15-18 and AOSC16-14.
5. My office is in compliance with the current Standards for Access to Electronic Court Records and the current Access Security Matrix that governs appropriate, differentiated levels of access to electronic court records. Attached hereto is a written description of the steps, processes and/or tools used to validate this compliance.
6. My office has reported all incidents of inadvertent release and unauthorized access to confidential information, if any have occurred.
7. My office has taken the appropriate corrective actions necessary to address all reported confidential information related incidents and has ensured compliance with the amended AOSC14-19, AOSC15-18, AOSC16-14 and the security matrix.

I agree that if the Standards for Access to Electronic Court Records or the Security Matrix is amended or updated such revisions will be incorporated into my office's existing online electronic records access application. Further, I understand that the State Courts System will maintain the authority to audit the system, at its discretion, to ensure compliance with the Standards for Access to Electronic Court Records and the Security Matrix.

County: St. Lucie  
Name: Joseph E. Smith  
Title: Clerk of the Circuit Court  
Date: 9/21/2016

Signature: \_\_\_\_\_



## **St. Lucie County, Clerk of the Circuit Court Online Electronic Record Access System**

### **Steps, processes, and tools used to validate compliance with the current Standards for Access to Electronic Court Records and the Current Access Security Matrix**

1. Local case types compared to Matrix and mapped.
2. Document types reviewed for confidential protection and security set based on Matrix user roles.
3. Other data and information reviewed protected and security set based on Matrix user roles.
4. Programming completed and internally tested.
5. External testing performed, additional programming finalized. Testing focused on the protection of confidential information.
6. Minor errors corrected as discovered.
7. Created a View On Request (VOR) Department that is staffed with three employees. The VOR department will be handling all redactions in addition to the VOR requested documents.
8. Created an auditing process for the Clerk's Performance Management Department to audit docketed images for accuracy daily.
9. Created a blind-key verification process on the docket index such that two different employees confirm the contents of each document indexed onto a case.
10. Contracted with the Clerk's auto-redaction vendor Computer Systems Innovations (CSI) to now send ALL courts documents through the auto-redaction process instead of just processing a selected group, as was the case previously.
11. Two new docket codes were created, Department of Juvenile Justice Assessment (DJJA) and Department of Juvenile Justice Face Sheet (DJJFS). These two new docket codes enable confidential Juvenile documents to retain the confidential flag when a Juvenile case is upfiled into a felony case. Our VOR clerks went back and rectified all dockets containing these confidential documents.
12. Created a new case list to ensure that all Orders to Expunge or Seal signed by the judge are taken care of immediately after the order was signed.
13. Created two new VOR docket codes. These two docket codes are used after reviewing every case for any confidential information, regardless of

statute or case type. (PRR - Pending Redaction Review; CRR - Completed Redaction Review) The first clerk uses PRR when their review is completed and the second clerk uses CRR to finalize the case.

14. Our office has created a cross-functional team that is comprised of clerks from the civil and criminal departments. This team is tasked with improving the functionality and cohesiveness of each department. The team has recently been focused on the standardization of docket codes. The standardization of the docket codes will allow VOR to be much more consistent and manageable while ensuring that confidential documents are being docketed appropriately.
15. Our office provided training to Attorneys, Agencies, and the general public to show the changes on accessing documents.

Documentation of On-line Electronic Records Access Activities

Final Status Report Summary

County: St. Lucie County

Date: 07/01/2015 to 08/31/2016

Reporting Details

Provide the following details:

1	Number of images accessed by all users	2377603
2	Number of images provided by Viewable on Request (VOR)	142846
3	Number of registered users	2192
4	Provide the number of registered users by access level.	
	1- Internal Viewing (Judges, JA's, Court Personnel, Clerk Personnel)	258
	2- State Attorney	108
	3 - Attorney of Record	745
	4 - Party Access	27
	5 - Public in Clerk's Office and Registered Users	231
	6 - Government Agencies	126
	7 - Public Internet (Anonymous)	17
	8 - Law Enforcement	549
	9 - A.G. & DCF	51
	10 - School Board	3
	11 - Commercial Purchasers	1
	12 - Public Defender	76
5	Provide the number of documents viewed by user access level	
	1- Internal Viewing	486727
	2- State Attorney	427798
	3 - Attorney of Record	355582
	4 - Party Access	1805
	5 - Public in Clerk's Office and Registered Users	171349
	6 - Government Agencies	62017
	7 - Public Internet (Anonymous)	118495

	8 - Law Enforcement	293238
	9 - A.G. & DCF	197592
	10 - School Board	491
	11 - Commercial Purchasers	0
	12 - Public Defender	262509
6	Report all known incidents of inadvertent release of confidential information.	64
7	Report all known incidents of unauthorized access to confidential information.	
8	Provide information regarding changes made to internal procedures to improve security or quality controls.	10
	*Created a View On Request (VOR) Department that is staffed with three employees. The VOR department will be handling all initial redactions in addition to the VOR requested documents.	
	*Created an auditing process for the Clerk's Performance Management Department to audit docketed images for accuracy daily.	
	* Created a blind-key verification process on the docket index such that the contents of each document indexed on to a case is confirmed by two different employees.	
	* Contracted with the Clerk's auto-redaction vendor to now send ALL court's documents through the auto-redaction process instead of just processing a selected group as was the case previously.	
	* There was an issue with the way Juvenile cases were up filed to the Felony Division. When the cases were transferred over, the documents were no longer marked as confidential. To resolve this issue two new docket codes, Department of Juvenile Justice Assessment (DJJA) and Department of Juvenile Justice Face Sheet (DJJFS), were created. Our VOR clerks went back and rectified all dockets containing these confidential documents. These incorrectly docketed images were not reported by external users as being accessed, however, there is a possibility that some images may have been viewed by registered users in our pilot program.	
	* Created a new case list to ensure that all Orders to Expunge or Seal signed by the judge are taken care of immediately after the order was signed.	
	* Created two new VOR docket codes. These two docket codes are used after reviewing every case for any confidential information, regardless of statute or case type. (PRR - Pending Redaction Review; CRR - Completed Redaction Review) The first clerk uses PRR when their review is completed and the second clerk uses CRR to finalize the case.	
	*Our office has created a cross functional team that is comprised of clerks from the civil and criminal departments. This team is tasked with improving the functionality and cohesiveness of each department. The team has recently been focused on the standardization of docket codes. The standardization of the docket codes will allow VOR to be much more consistent and manageable while ensuring that confidential documents are being docketed appropriately.	

	*Our office is opening pilot testing to our customers that frequent our Research department. We are also holding an information session that will explain AOSC 15-18 and teach users how to maneuver our online viewing system.	
	*Our office provided training to Attorneys to show the changes on accessing documents. Also, training was provided to Public registered users to teach them how to access documents.	



ED BRODSKY  
**State Attorney**

Twelfth Judicial Circuit

*Serving Sarasota, Manatee and DeSoto Counties*

*Sarasota County*  
Criminal Justice Building  
2071 Ringling Boulevard  
Suite 400  
Sarasota, FL 34237-7000  
(941) 861-4400

*Venice Office*  
R.L. Anderson Building  
4000 South Tamiami Trail  
Room 135  
Venice, FL 34293-5028  
(941) 861-3200

*Manatee County*  
County Admin. Building  
1112 Manatee Avenue W.  
P.O. Box 1000  
Bradenton, FL 34206-1000  
(941) 747-3077

*DeSoto County*  
DeSoto County Courthouse  
115 East Oak Street  
Third Floor  
Arcadia, FL 32466-4446  
(863) 993-4881

*Please reply to:*

September 19, 2016

Dear Honorable Judge Hilliard,

The purpose in writing this letter is to address some issues that the Sarasota County State Attorney's Office of the Twelfth Judicial Circuit has been having with the Security Matrix and Administrative Order AOSC16-14. Recently, our office spoke with Alan Neubauer in a conference call with representatives from the Sarasota Clerk of Courts and Court Administration to address some online access issues we have been struggling with as a result of the recent Administrative Order. Reviewing the Security Matrix, it appears that the State Attorney's Office is currently listed as having Category B access, with access to all documents EXCEPT those under Chapter 943 or those sealed under Rule 2.420. In reviewing Rule 2.420, it appears that this restricts a State Attorney's access to "Public Access" of judicial branch records contrary to section 27.341, Florida Statutes.

However, it is our position that State Attorneys are not considered the general public. The role of the State Attorney is specifically outlined in section 27.02, Florida Statutes. Therefore, limiting our access to that of the "general public" not only hinders the State in the prosecution of crime but also as a judicial resource for information pursuant to section 454.11, Florida Statutes. Changing State Attorneys access from Category B to Category A would alleviate all of the issues we have been having with the online access from the Clerk's office. If the Board is unwilling to make that change, I have laid out four main concerns regarding access to online records with possible solutions for each issue.

**ISSUE 1: Access to Mental Health Records**

Currently, Assistant State Attorneys in our jurisdiction do not have access to mental health records of defendants. Specifically the State may not access any reports from court appointed doctors detailing the competency and/or insanity of defendants. This is troubling because our attorneys are given a paper copy of these reports from the doctors once these reports are completed. However, the reports are not able to be viewed online with the Clerk's office with our current access level. By the Clerk's reading of the current security matrix, these are considered confidential records that are not permitted by Fla. Statute 916.107 (8). Additionally, by adding the language in Category B "or sealed under rule 2.420" the Clerk's

Office is interpreting that to mean that under 2.420(B)(x) these records are deemed confidential to any State Attorney and shall not be viewable online.

Access to these records is essential to doing our job properly. With alarming frequency, Assistant State Attorneys are not given a paper copy of this report until well after the scheduled competency hearing. Therefore, when attorneys are in court and are preparing to argue the issue of competency, our attorneys rely on the Clerk's Office online records to access these reports to properly argue the issue in front of the court. When our attorneys do not have access to these records they are ill prepared to properly argue a position. As you are aware, the State has complete authority to review psychological records in any case, past or present. *See Ex. Fla. Stat. 394.9125 (2015); Fla. R. Crim. P. 3.202; Fla. R. Crim. P. 3.210.* Competency arises in cases at first appearance to post conviction relief.

As an example, on August 22, 2016, our office had a potential plea to two murder convictions. The State Attorney handling the case needed the competency records in order to supplement the record for the plea. The paperwork had not been delivered to our office and because we were not able to image the competency records online with the Clerk's Office, a representative from our office had to physically walk over to the Clerk's Office, which is not located in the courthouse, to request these reports. We were first told we would not be permitted access to these records as they are confidential per our access level. We then asked for a supervisor and the representative went to speak to a supervisor. After approximately 10 minutes of waiting we were told the documents would be printed for us.

A simple remedy to ensure the State Attorneys have access to this type of record would be to either:

- (1) Delete "or sealed under rule 2.420" under heading B
- (2) Note an exemption be made for State Attorneys under 2.420 (d)(1)(B)(x), thereby allowing copies of these competency records; or
- (3) Allow State Attorneys access to mental health records to mirror the access of the Public Defender's by adding mental records as permitted by sections 394.4615, 394.4655 and 394.467, Florida Statutes (or accompanying rule).

## **ISSUE 2: Access to Pending Warrants/Capias Requests**

Currently, our access on the Clerk's website does not permit State Attorneys to view pending arrest warrants or capias requests until they have been executed. In fact, even on cases where our attorneys actually issue the capias requests, they are still not able to be viewed by our attorneys with the current access level. Often, our attorneys will send a capias request to the judge to be signed and the capias/arrest warrant is entered into the system by the Clerk's Office and sent to the Sheriff's Office, Warrant's Division. However, when we go online to the Clerk's website to view the arrest warrant to view if it has been executed, this document is marked "confidential" or not present at all.

Access to these types of documents is also essential to a State Attorney's daily responsibilities. Many times in court, our Judges will ask if there are any pending violations of probation or arrest warrants outstanding for a defendant when the court is determining whether or not to grant bond. Without access to these records, we are unable to properly answer that question for the Court, and the Court cannot adequately assess a defendant's danger to community appropriately.

As an example, one of our attorneys was preparing for First Appearances, specifically looking at a case involving an alleged sexual battery. The only document provided to the attorney was the actual *capias* paperwork with the scheduled bond. Due to *capias* and arrest warrants not being imaged by the Clerk's Office, the attorney had to physically walk to the Sheriff's Office, show identification and request a copy of the probable cause affidavit that would have normally been attached to the *capias* and warrant. However, due to the current security matrix delineating State Attorneys as the general public per Rule 2.420, these probable cause affidavits and *capias* requests are exempt from viewing unless and until they have been executed.

A simple remedy to ensure that State Attorneys have access to this type of record would be to either:

- (1) Delete "or sealed under rule 2.420" under heading B or
- (2) Note an exemption be made for State Attorney's under 2.420 (c)(6), thereby allowing copies of arrest warrants and or search warrants to be imaged by State Attorney's.

### **ISSUE 3: Redacted Probable Cause Affidavits**

With the current security matrix, our access on the Clerk's website does not permit State Attorneys to view un-redacted probable cause affidavits with the victim's information and the defendant's social security numbers. The support staff in our office looks to the police reports when gathering information to prepare a new file. Support staff needs these police reports to get the contact information for victims to set up Pre-Filing Interviews and to run NCIC/FCIC to obtain criminal history information on a defendant. With our current redacted access to these types of records, the support staff then has to wait until the un-redacted paperwork comes from the law enforcement agency. This can take days and even up to a week for this to occur when the support staff could login to the Clerk's website, look at an un-redacted report, gather this information, and prepare the necessary documents. I receive almost daily issues from our support staff where they need the equivalent of the Benchmark program we previously had access to.

As you know, it is the intent of the legislature to move towards paperless filing. See Fla. Stat. 27.341 (2015). The legislature has placed several time sensitive burdens upon the State ranging from the Jessica Lunsford Act, Anti-Murder Act, to section 741.2901, Florida Statutes. Subsection (3) is particularly noteworthy, because the State is mandated to perform a thorough investigation of all prior incidents of domestic violence and "noting history of other victims". If we are unable to access the victims *prior to* First Appearance, the State cannot appropriately

fulfill a statutory requirement. If the current system is not remedied immediately, the public is at risk.

A simple remedy to ensure State Attorneys have online access to this type of record would again be to either:

- (1) Delete "or sealed under rule 2.420" under heading B or
- (2) Note an exemption be made for State Attorneys under 2.420 (d)(1)(B) (iii) and 2.420 (d)(1)(B) (xii) , thereby allowing this information to be made available to State Attorneys in an un-redacted form.

#### **ISSUE 4: Access to Pre-Sentence Investigations**

With the current security matrix, our access to the Clerk's website does not permit State Attorneys to have access to view any Pre-Sentence Investigation Reports (PSI) (although the State is a party in each instance). Similar to competency evaluations, these reports sometimes are mailed to us and do not arrive in physical form to our office prior to a sentencing date. Therefore, in the past we would access these reports online through the Clerk's Office online records to prepare for a sentencing hearing. However, now that these are not imageable online, we are unable to prepare for sentencing hearings as we are unable to determine the accuracy of the information contained in the PSI, what the recommendation of the Department of Corrections is, or view any victim impact statements or statements made by the defendant in this report.

As an example, one of our attorneys had a Pre-Sentence Investigation Report ordered in a 1<sup>st</sup> Degree Attempted Murder trial. The State Attorney was unable to view the report and did not receive a physical copy of the report from the Department of Corrections prior to the defendant's sentencing hearing. It was only at the actual hearing the judge went online with his access, printed out the report and handed it to the State Attorney that he was able to see a report that was generated for him.

A simple remedy to ensure the State Attorneys have online access to this type of record would again be to either:

- (1) Delete "or sealed under rule 2.420" under heading B or
- (2) Note an exemption be made for State Attorneys under 2.420 (d)(1)(B) (iii) and 2.420 (d)(1)(B) (xx) , thereby allowing these Pre-Sentence Investigations be made available to State Attorneys.

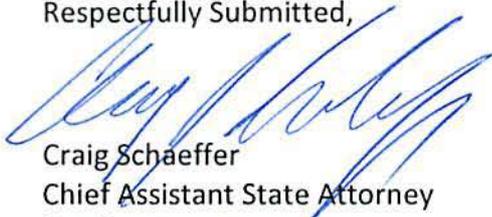
#### **Proposed Amendments:**

After speaking to Mr. Neubauer, it was suggested that we first show the access security matrix as it stands, and then include a new access security matrix with the additions that we wish to see implemented. I have done so at the conclusion of this letter. For your reference, I have italicized and highlighted the proposed changes to the security matrix standards that our office specifically is requesting be taken in front of the Board for approval and/or amendment.

Additionally, it should be noted that we have consulted with the Court Administration and a Judicial Representative and believe that our Bench is absolutely in favor of the State Attorney's Office having unredacted and immediate access to the aforementioned documents.

In closing, I want to thank you for your time and attention in this matter as these amendments are paramount to our office conducting our duties and responsibilities to our Courts and our citizens appropriately. Should you need any further information please do not hesitate to call or email me.

Respectfully Submitted,



Craig Schaeffer  
Chief Assistant State Attorney  
(941) 861-4460

CC: Walt Smith, Court Administrator  
Alan Neubauer, Deputy Director, IT

**Current State Attorney Access Security Matrix Standards**

USER GROUPS	ACCESS PERMITTED	SECURITY REQUIREMENTS
<p>Certified law enforcement officers of federal or state law enforcement agencies, including the state attorney's offices and attorney general's office.</p>	<p>All records except those that are expunged or sealed, automatically confidential under rule 2.420(d)(1) or made confidential by court order</p> <p>Access to social security numbers as permitted by s.119.071, FS</p> <p>Access to sexually transmitted disease results as permitted by s.384.29(1), FS</p> <p>Access to birth certificates as permitted by s.382.013(5), FS</p> <p>Access to mental health records as permitted by s. 916.107(8), FS</p> <p>Access to addresses of domestic violence victims, and identifies of victims of sexual and child abuse when originating from law enforcement as permitted by s.119.071(2) FS</p> <p>Access to children and families in need of services records as permitted by s.984.06(3), FS</p> <p>Access to juvenile records as permitted by s.39.0132(4)(a)(1) FS</p> <p>Access to juvenile delinquency records as permitted by s.985.04 FS</p> <p>Access limited to law enforcement personnel who</p>	<p>Secure access through user name and password by written notarized agreement. Agency gatekeeper is responsible for maintaining an authorized user list.</p>

	requires access in performance of their official job duties.	
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**Proposed Amendments to State Attorney Access Security Matrix Standards**

USER GROUPS	ACCESS PERMITTED	SECURITY REQUIREMENTS
<p>Certified law enforcement officers of federal or state law enforcement agencies, including the office of the state attorney and Attorney General.</p>	<p><i>All records except those that are expunged or sealed pursuant to s.943.0585 with discretionary limits based on local security policy. Each court and clerk must establish policies to ensure that access to confidential records and information is limited to those individuals who require access in performance of their official duties.</i></p> <p>Access to social security numbers as permitted by s.119.071, FS</p> <p>Access to sexually transmitted disease results as permitted by s.384.29(1), FS</p> <p>Access to birth certificates as permitted by s.382.013(5), FS</p> <p>Access to mental health records as permitted by s. 916.107(8), 394.4615, 394.4655 and 394.467 FS.</p> <p>Access to addresses of domestic violence victims, and identifies of victims of sexual and child abuse when originating from law enforcement as permitted by s.119.071(2) FS</p> <p>Access to children and families in need of services records as permitted by s.984.06(3), FS</p>	<p>Secure access through user name and password by written notarized agreement. Agency gatekeeper is responsible for maintaining an authorized user list.</p>

	<p>Access to juvenile records as permitted by s.39.0132(4)(a)(1) FS</p> <p>Access to juvenile delinquency records as permitted by s.985.04 FS</p> <p>Access limited to law enforcement personnel who requires access in performance of their official job duties.</p> <p><i>Access to copies of arrest and search warrants and supporting affidavits retained by judges clerks or other court personnel</i></p> <p><i>Access to complete presentence investigation reports under Fla. R. Crim. P. 3.712</i></p> <p><i>Access to clinical records of criminal defendants found incompetent to proceed or acquitted by reason of insanity by s.916.107(8) FS.</i></p> <p><i>Access to records of individuals detained under the Involuntary Civil Commitment of Sexually Violent Predators Act (formerly known as the "Jimmy Ryce Act" as permitted by ss.394.916 and 394.917, F.S.</i></p>	
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FLORIDA  
DEPARTMENT of  
CORRECTIONS

Governor

**RICK SCOTT**

Secretary

**JULIE L. JONES**

501 South Calhoun Street, Tallahassee, FL 32399-2500

<http://www.dc.state.fl.us>

July 13, 2016

The Honorable Robert Hilliard, Chair  
Access Governance Board  
c/o Office of the State Courts Administrator  
500 S. Duval Street  
Tallahassee, Florida 32399-1900

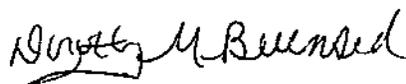
**RE Follow Up To Florida Department of Corrections User Group in Access Security Matrix**

Dear Judge Hilliard:

Thank you for having reviewed the Florida Department of Corrections (FDC) user group request for the Access Security Matrix. At the time, FDC believed a unique user group was necessary because, as addressed in the FDC January 29, 2016, letter, broader access than what is granted to the General Government and Constitutional Officers user group, is needed. Also, as was previously noted, FDC is considered law enforcement when a particular statute or rule specifically includes correctional and correctional probation officers. Without FDC specifically being designated as law enforcement for the purposes of being included in the Law Enforcement user group, FDC would require its' own unique user group.

After numerous discussions among FDC personnel, it has been decided that if the Law Enforcement user group specifically designates FDC as law enforcement for inclusion in that user group for purposes of the Access Security Matrix, the potential for access denial because FDC is not "law enforcement" will be eliminated. Thus, FDC believes that its' inclusion in the Law Enforcement User Group is an appropriate alternative to the creation of a unique FDC user group, and would ask the Board to consider that option.

Sincerely,

  
for Kenneth S. Steely  
General Counsel

USER GROUPS	ACCESS PERMITTED	SECURITY REQUIREMENTS
<p><u>Certified law enforcement officers of federal <del>Federal</del> or state law enforcement agencies and all Florida law enforcement agencies, including but not limited to, Florida state attorney's offices, and the Florida state attorney general's office, and Florida Department of Corrections</u></p>	<p>All records except those that are expunged or sealed, automatically confidential under rule 2.420(d)(1), or made confidential by court order.</p> <p>Access to social security numbers as permitted by s.119.071, F.S.</p> <p>Access to HIV test results as permitted by ss. 775.0877, 951.27, and 960.003, F.S.</p> <p>Access to sexually transmitted disease results as permitted by s. 384.29(1), F.S.</p> <p>Access to birth certificates as permitted by s. 382.013(5), F.S.</p> <p>Access to mental health records as permitted by s. 916.107(8), F.S.</p> <p>Access to addresses of domestic violence victims, and identities of victims of sexual and child abuse when originating from law enforcement as permitted by s. 119.071(2), F.S.</p> <p>Access to children and families in need of services records as permitted by s. 984.06(3), F.S.</p> <p>Access to juvenile records as permitted by s. 39.0132(4)(a)(1), F.S.</p>	<p>Secure access through user name and password by written notarized agreement. Agency gatekeeper is responsible for maintaining an authorized user list.</p>

	<p>Access to juvenile delinquency records as permitted by s. 985.04, F.S.</p> <p>Access limited to law enforcement personnel who require access in performance of their official job duties.</p>	
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## Document Storage Workgroup – Status Update

Almost two years ago, the Document Storage Workgroup (DSW) was formed. Our initial task was to determine the most appropriate document file storage format to be used for the long term storage of electronic court documents, instead of the current TIFF file format. After considerable research involving subject matter experts from a wide variety of resources including state and federal courts systems, document storage industry standards and trends, and discussion with vendors that specialize in document management and archiving solutions, the DSW proposed the PDF/A-2 document standard as the long term storage format to be used by the State of Florida Court System. In mid-2016, the FCTC approved the workgroup's PDF/A-2 document storage format recommendation.

A secondary task associated with document storage was the attempt to determine the cost and timeframe required to implement the new document format through all elements of the Court System document workflow. Workgroup discussion occurred which resulted in the development of a questionnaire to send to CMS vendors. The questionnaire was then distributed to all Clerk of the Court offices for distribution to their CMS vendors. Responses to the questionnaires from the Clerk CMS vendors made the workgroup aware of the need to detail issues related to using the new document format. The issues were categorized into specific areas that would be most affected by this new document storage format. The DSW believes the primary categories of workflow affected are:

- Document Creation
- Document Filing
- Document Storage
- Document Delivery

Important points to be considered by other workgroups in the development of future potential standards have been developed by the DSW and expand each category listed above into segments that we believe require additional discussion, evaluation, research, and decision making from other workgroups that are involved with the primary categories listed above. The DSW believes that additional discussions in each workgroup should occur before a complete cost estimate and timeframe for implementation can be obtained. From what the DSW understands, the draft standards components and talking points created by the DSW will be distributed in appropriate sections to other workgroups for further development. Since many of our workgroup members participate in other pertinent FCTC subcommittees and workgroups including the Standards Consolidation Workgroup, Portal Subcommittee, FCTC/RJA Joint Workgroup, and Certification Subcommittee, these participants can provide input from our workgroup discussions when appropriate.