

# **FLORIDA COURTS TECHNOLOGY COMMISSION OPERATIONAL PROCEDURES**

## **I. Authority**

Florida Rule of Judicial Administration 2.236

## **II. Purpose**

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

## **III. Membership**

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

## **IV. Committees and Workgroups**

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

Responsibilities of committees and workgroups –

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

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

## **V. Staff Support**

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

## **VI. Meetings**

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

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

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

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

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

## **VII. Agenda**

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

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

### **VIII. Appearance before the Commission**

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

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

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

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

a. Trial Courts

1. Approval Process for Electronic Filing or Electronic Process Requests

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

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

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

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

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

### a. Modification to Existing System

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

b. New System

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

b. District Courts of Appeal

1. Approval Process for Electronic Filing or Electronic Process Requests

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

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

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

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

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

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

c. Monitoring

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

## **X. Annual Report**

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

## **XI. Process for Notification of Portal Modifications**

To provide quality assurance and a formal process for change management, the E-Filing Authority shall consult with the Florida Court Technology Commission prior to implementing any changes to the E-Filing Court Records Portal. To allow portal modifications to be thoroughly examined by the Commission before implementation, a formal process is essential when receiving changes from the E-filing Authority. In order to comply with this section, the Commission shall consult with the E-Filing Authority by the following process.

- a. The Portal Project Manager shall report to the E-portal committee any required functional enhancements and the projected dates those functional enhancements will be implemented. Once vetted by the E-portal Committee and approved, these enhancements will be included in the Portal Project Manager's quarterly report to the FCTC.
- b. The E-Filing Authority Board, except in the case of emergency changes to the Portal, shall approve suggested enhancements in sufficient time that a list of enhancements can be sent to the FCTC no later than 45 days before the enhancements are scheduled to be implemented.
- c. When functional enhancements are approved by the Board, the Chair of the Board will promptly send the list of proposed functional enhancements to the Chair of the FCTC, with a copy to the State Court Administrator.
- d. If the FCTC wishes to consult with the Board about any proposed functional enhancements, it should notify the Board in writing within 20 days.
- e. Any Portal changes requested by FCTC shall be communicated in writing to the Chair of the Board by the Chair of the FCTC.
- f. If the Board deems a required functional enhancement to be an emergency, the Chair of the FCTC shall be contacted directly by the Chair of the Board as soon as possible after being advised of the required emergency change but before the change is implemented.
- g. In the event the FCTC wishes to consult with the Board about any proposed changes, the Board will consider the FCTC's concerns at the next scheduled Board meeting or, if required, a special meeting of the Board.
- h. When notifications of portal changes are received by the Chair of the FCTC, information will be delivered to the members of the Commission by email and referred to the E-Portal Subcommittee who will then provide an update at the regularly scheduled meetings.
- i. The FCTC E-Portal Subcommittee will be appointed to monitor portal changes to ensure the portal is operating in accordance with the technology policies established by the Supreme Court.

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