



Judge Lisa Taylor Munyon, Chair Florida
Courts Technology Commission
c/o Office of the State Courts Administrator
500 S. Duval Street, Tallahassee, Florida 32399-1900

April 1, 2015

The Honorable Jorge Labarga
Chief Justice, Supreme Court of Florida
Supreme Court Building
500 South Duval Street Tallahassee,
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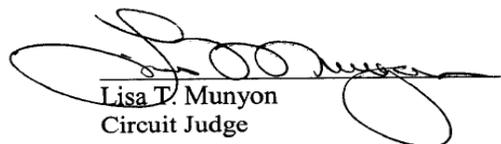
RE: Florida Courts Technology Commission Yearly Report

Dear Chief Justice Labarga:

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

This report summarizes the work of the Commission from April 2014 through March 2015. As you will find documented in this report, the courts continue to make vast strides in matters related to technology. The Commission is not making any recommendations to the Court at this time. It has been an honor and a privilege to contribute to these advancements and collaborative accomplishments for the state courts system and judicial branch as a whole.

Sincerely,


Lisa T. Munyon
Circuit Judge

The Honorable Jorge Labarga

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Florida Courts Technology Commission

2015 Yearly Report

April 1, 2015

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

Florida's courts have made great advances in the use of technology to improve and enhance the efficiency, effectiveness, and timeliness of those processes which are critical to the management of information technologies. The trial courts have undergone a substantial technology transformation affecting the way in which the judicial branch functions and meets the needs of its customers. Attorneys are filing cases electronically, judges are beginning to work with electronic case files, and clerks are running their business processes using automation and electronic forms and documents. Today, technology is no longer a "luxury" or "add-on" to existing resources; it is inherent and inextricably connected to the daily operations of the judiciary. Court systems are increasingly deploying technology to facilitate the effective, efficient, and fair disposition of cases in a timely manner.

Seven subcommittees and several workgroups have been created to work under the auspices of the Commission to focus on different areas of technology in our courts. Four workgroups were formed in 2014: Proposed Order Workgroup, Operational Procedure Review Workgroup, Data Exchange Workgroup, and Document Storage Workgroup. In addition to the above-referenced workgroups, the rule specifically establishes the Appellate Courts Technology Committee as a standing committee of the Commission. Several committees were disbanded because they had fulfilled their purpose or due to non-activity. Accordingly, the E-Filing Committee, Trial Court Integrated Management Solution Subcommittee (TIMS), Reports Subcommittee, Education and Outreach Subcommittee, Portal Subaccounts for Paralegals Workgroup, and the Portal Non-Attorney Access Workgroup were eliminated. The Chair prioritized the work assignments of the subcommittees and workgroups in order to enable the Commission and its support staff to perform their functions at a rate that is manageable with the existing constraints of staff and travel.

Through the committees, subcommittees, and workgroups, the Commission has taken on a number of projects. These groups and the Commission as a whole have devoted considerable time and effort to improving technology in the courts.

During the course of the year, the Commission worked collaboratively with the E-Filing Authority Board and the Florida Court Clerks & Comptrollers (FCCC) to make the Portal website more accessible and understandable for filers. The Commission assisted the E-Filing Authority Board in creating additional filer roles that allow non-attorneys to electronically file through the Portal, including pro-se litigants. In addition, the Commission endorsed developing Florida-compliant interview questions using Access to Justice (A2J) software that will assist pro se litigants to electronically create and file documents through the Portal. Furthermore, a subcommittee was created to review and update the FCTC's operational procedures in processing Portal modifications received from the E-Filing Authority Board. The workgroup members included judges, lawyers, and a paralegal. The proposed FCTC Operational Procedures for Portal Modifications were approved by the FCTC at the February 2015 meeting and incorporated into the FCTC Operational Procedures. The Commission's work related to tasks assigned to each group is described in the section entitled Subcommittee and Workgroup Activities.

Subcommittee and Workgroup Activities

A. Appellate Courts Technology Committee

Currently, two appellate court e-filing and case management solutions are in use – eFACTS and iDCA/eDCA. The Information System Services (ISS) unit within the Office of the State Courts Administrator has developed an electronic document, electronic workflow, and case management solution that will interface with the statewide Portal. The Supreme Court and the Second District Court of Appeal are using the eFACTS solution. The 3rd, 4th, and 5th DCAs are testing a hybrid of both eFACTS and iDCA/eDCA. The eFACTS solution is two-fold. The cases portion closely matches the current Case Management System (CMS) interface with the addition of voting management, scanning, task tracking, notifications, correspondence/red folder management, document generation, and electronic filing management. The eFACTS solution includes an OCR

(Optical Character Recognition) service for making documents searchable and a stamping service for stamping filed documents with date/time and court.

The eFACTS solution is advantageous for a number of reasons: 1) the eFACTS integrates electronic document management; 2) the current CMS is client-based, whereas the eFACTS solution is web-based and managed client-based, which allows remote access to the eFACTS solution 24 hours a day, 7 days a week; 3) predefined and customizable electronic workflows and forms are built into eFACTS; 4) eFACTS is built on the Microsoft platform, which allows for interaction between systems; 5) it has the ability to associate a document to a docket, which the current CMS does not; and 6) eFACTS integrates with the statewide e-portal..

OSCA/ISS staff continues to develop the eFACTS solution and is working closely with this committee, as well as with other subject matter experts. In July 2012, the Supreme Court began using eFACTS. In August 2012, eFACTS was installed for the Second District Court of Appeal and is in use in that court. In January 2014, eFACTS was installed with iDCA/eDCA for the 3rd District Court of Appeal. In June 2014, eFACTS was installed with iDCA/eDCA for the 4th and 5th DCAs. The 1st DCA will have eFACTS available by April 2015. The intent of creating a hybrid solution was to allow the District Courts of Appeal to continue use of eDCA for e-filing and servicing and begin to use new functionalities available in eFACTS, such as Tasking, Notifications, and Voting. Based on feedback from the Florida Supreme Court, 2nd District Court of Appeal, and 3rd District Court of Appeal, OSCA/ISS is modifying portions of the case management functions in eFACTS as well as making changes to the eFACTS architecture to improve overall performance. Work continues on the eFACTS interface to enhance performance and functions. The architectural changes will be completed by April 2015. OSCA/ISS is anticipating the retirement of the old CMS interface by August 2015.

On April 1, 2013, e-filing was mandatory for Supreme Court filings from attorneys; and in August 2013, e-filing was optional to the 2nd District Court of Appeal for attorneys. E-filing became mandatory for attorneys filing to the 2nd District Court of Appeal on October 1, 2013. Mandatory clerk-to-clerk transmittals began in early February 2014 for the 2nd District Court of Appeal. As of mid-March 2015, a total of 63,705 filings, with a total of 79,524 documents, have been received through the statewide e-portal.

The pilot e-filing system, “iDCA/eDCA,” is fully deployed at the First, Third, Fourth, and Fifth District Courts of Appeal. Presently, the First and Fifth District Courts of Appeal require all attorneys to file documents exclusively through the eDCA filing portal. The active caseloads are now digitized. This represents millions of pages of digital documents available internally through the iDCA portal and externally to registered users of eDCA (an eDCA user can only view documents for cases in which that user is an attorney or party).

In January 2015, case documents were made available via the Florida Supreme Court public online docket portal. The public access to documents has allowed the Supreme Court Clerk’s Office to work more efficiently by diverting clerk time to other essential tasks, rather than expending time providing documents manually to legal services companies and the public.

An eFACTS Change Advisory Board (CAB) has been created, and the first meeting of the eFACTS CAB was held in January 2015. With their next meeting, planned for April 2015, the CAB will begin reviewing, discussing, approving, and prioritizing requests for changes for inclusion in future releases of eFACTS.

B. e-Portal Subcommittee

At the May 2014 FCTC meeting, the subcommittee recommended a time limited transition to eliminating paper filings by attorneys unless allowed by rule. A motion was made to communicate formally with Chief Judges and Clerks to request notification from their individual Clerk’s office of attorneys who were not filing in compliance with mandatory e-filing procedures. After further review of a compiled list of noncompliant attorneys, it was determined that the matter should be handled at the local level, as the number of noncompliant attorneys was low compared to the number of compliant attorneys.

In August 2014, the FCCC proposed a method for governmental entities to receive documents, case information and filer information that originated on the Portal. The subcommittee endorsed and the FCTC approved the Department of Corrections (DOC) to be added as a filer role on the

Portal to allow a secure means to transmit court (sentencing) documents from the Clerks of Court. This would streamline access to documents and allow the Clerks to transmit modifications of orders to the DOC. The State Attorneys were added as a matter of course for all e-service in criminal cases, promoting better service.

Since January 2011, when e-filing commenced through the statewide Portal, there have been over 75,000 registered users and 8,700,000 filings (an average of over 800,000 filings per month) along with 14,690,000 documents (an average of 1,468,000 documents per month) submitted through the statewide e-portal. In September 2014, the second version of the Portal was released. Enhancements included adding approved filer roles for court reporters, mediators, mental health professionals, process servers, law enforcement agencies, state agencies, newspapers, and surety bond agents. Document types were also developed for the additional filer roles. With the approval for judges to electronically file through the Portal, the different types of filings that are executed by General Magistrates and Hearing Officers were deliberated. The Commission recommended and approved that General Magistrates and Hearing Officers be added to the Portal with the same access that judges currently have with the security and credentialing to be done by the trial court administration.

As the Portal has evolved, there have been many requests from different types of users for a variety of changes or uses of the Portal. In August 2014, the E-Filing Authority Board created the Portal Change Advisory Board to develop a process for prioritizing Portal changes and communicating those changes to the FCTC. The first Portal Change Advisory Board report was presented to the e-Portal Subcommittee and approved by the FCTC in February 2015.

In preparing for e-filing, customary docket descriptions were established. In continuing technology strategies in the judicial branch, standardized docket descriptions necessitate uniformity throughout the state. The subcommittee was tasked with standardizing docket descriptions to meet the needs of each case type. The complexity of this project will require many workgroups to be formed with subject matter experts around the state with expertise in particular case types and procedural rule sets. Collaboration is required with Clerks, the courts, and the legal community to establish uniform naming conventions for documents filed with the court. The partnership will

assist in identifying all the official needs with respect to specificity with any given docket description.

In the subcommittee's review of uniformity throughout the state, the submission of proposed orders was an area of inconsistency. With different implementation timelines of the Court Application Processing System (CAPS) viewer, several challenges and factors were discussed at the November 2014 FCTC meeting, i.e., should attorneys be required to file proposed orders through the Portal, should an interface to the Portal be a requirement of the CAPS viewer that would allow bi-directional communication, and other related concerns. The Commission accepted the subcommittee's recommendation of creating a workgroup to define and standardize a uniform requirement for proposed orders and make a recommendation to the Commission to be transmitted to the E-Filing Authority Board. The workgroup members include judges, clerks, lawyers, a trial court administrator, IT staff, and the e-filing portal project manager.

Currently, with the assistance of the FCCC, the subcommittee is examining the business requirements of e-service to find a solution to allow individuals to remove themselves from an e-service list when added erroneously. Further, the subcommittee will be researching whether to add a warning on the Portal alerting filers that they are responsible for stripping all metadata if they do not want it included in the filing. The subcommittee continues to review specifications for diverse filer roles to be added to the Portal. In conjunction with e-Portal User Group, the subcommittee will review revisions that are needed to enhance the Portal.

C. Court Application Processing System (CAPS) Viewers

CAPS is a software application that allows court files to be displayed electronically. CAPS viewers are used by trial judges or their staff to access and use electronic case files in the course of managing cases, scheduling and conducting hearings, adjudicating disputed issues, and recording and reporting judicial activity on the bench or remotely. The CAPS viewer is capable of displaying multiple documents so the judge can refer back and forth to them as the lawyers make their arguments and permit the judge to search for multiple documents in a file.

Currently, there are four vendor-based viewer systems and four in-house viewer systems in the trial courts. As of February 2015, forty-eight counties have fully implemented their viewer systems in one or more divisions that allow the judiciary to have online access to their cases. Of the remaining nineteen counties, fourteen counties anticipate implementation by July 2015 and five counties anticipate implementation by December 2015.

In June 2014, the Trial Court Budget Commission (TCBC) Trial Court Technology Funding Strategies Workgroup (Funding Workgroup) was directed to develop an information technology strategic plan to determine specifically which trial court systems/resources require funding to sustain and to complete the implementation of their CAPS viewers in the criminal divisions. The workgroup worked with Trial Court Administrators and Court Technology Officers around the state to determine technology needs for CAPS viewers, Court Reporting and Interpreting, and Support for Minimum Level of Technology. In August 2014, the TCBC approved developing a comprehensive FY15-16 Legislative Budget Request (LBR) to meet the technology requirements of the trial court systems and develop a comprehensive plan for funding and sustaining technology in the trial courts. In December 2014, a 319 page document that provided detailed information and analysis of the many technology projects included in the comprehensive plan was submitted to the appropriate committees of the Senate and House and to the Governor.

D. Proposed Order Workgroup

In November 2014, the Proposed Order Workgroup was formed to define and standardize a uniform method of submitting and processing proposed orders. The workgroup met in January 2015 and discussed the various ways judges are handling proposed orders. The FCCC illustrated several optional technical solutions and advantages of expanding the scope of the Portal to process proposed orders. The next step of the workgroup is to map out the proposed order workflow and lifecycle and determine the business requirements of proposed orders. In addition, workgroups will be formed to review the different scenarios to process proposed orders through the volunteered circuit's preferred method and to prepare a pilot to demonstrate at a future time.

E. Access Governance Board

Over the past year, the Access Governance Board worked with the Trial Court Budget Commission Funding Workgroup to develop standards that define different access levels and parameters and standardize the data and information for access to electronic court records. These standards were used to determine how much to charge for different access levels. Once this work was completed and presented to the Funding Workgroup, the workgroup recommended that no fees should be charged for electronic remote viewing of court records. The Access Governance Board defined two ways to view court documents electronically: 1) clerk's office electronic viewing, which is the ability to view court records as defined in rule 2.420(b)(1)(A) from a clerk provided device located in the clerk's office and 2) remote electronic viewing, which is the ability to view court records as defined in rule 2.420(b)(1)(A) from an external location via a public network.

After Amended AOSC14-19 clarified procedures and time frames relating to the orderly transition from the current policies governing access to electronic court records established under AOSC07-49 to the implementation of the Standards for Access to Electronic Court Records, the Access Governance Board received fifty-seven applications from clerks of court to have their online electronic records access system approved. There were numerous questions from clerks about the meaning of various provisions of the amended administrative order and the Access Security Matrix. During this time, the FCCC developed the AOSC14-19 Task Force to review the Standards for Access to Electronic Court Records. This group met with the Access Governance Board in October 2014 to develop a set of expected answers to the online electronic records access application. This allowed uniformity statewide. The clerks were given an opportunity to amend their applications if needed, to ensure their answers were clearly defined. After this process, the Access Governance Board received fifty-nine Online Electronic Records Access applications. The Access Governance Board reviewed the applications, and all applications met the Standards for Access to Electronic Court Records as well as complied with the Access Security Matrix. A couple of applications were approved with some contingencies. Each county received a letter of approval to start their pilot. Within 120 days from approval of the clerk's initial application, each system will be required to go through a 90-day pilot period that will include monthly reports and an audit

after 90 days. At the end of the pilot, the clerk shall be fully compliant with amended AOSC14-19. The clerk can then request approval to provide online access to electronic court records. When the pilot and audit are completed and the electronic records access system has demonstrated compliance with the Standards for Access to Electronic Court Records for 90 days, the FCTC chair will issue a letter of approval on behalf of the FCTC. The clerk may then proceed with implementation of their system. Seven counties (Baker, Hamilton, Levy, Monroe, Seminole, Suwannee and Taylor) have not applied for approval.

The Access Governance Board has made recommended changes to the Standards for Access to Electronic Court Records and the Access Security Matrix based upon input from the clerks of court, attorneys, public defenders, media, and other concerned entities.

The Access Governance Board is working with Judge Korvick (11th Circuit) to define what legislative change needs to be made to amend statute 28.2221(5)(a) to include Baker Act, Mental Health and Marchman Act from remote viewing by the general public to include identity. The Access Governance Board did not have sufficient time to draft the Baker Act language in this legislative session; however, the Access Governance Board plans to move forward with the issue.

The Access Governance Board in conjunction with the FCCC AOSC14-19 Task Force continues to discuss security protocols for judges' signatures, notarized forms, and indemnification. The FCTC is hopeful that these issues will be resolved in the coming months.

F. Technical Standards Subcommittee

Over the past year, the Technical Standards Subcommittee updated the Integration & Interoperability (I&I) document which was previously updated September 2013. The I&I document is essentially a technical document that court technology officers use and identifies best practices and existing standards regarding hardware and software platforms, network infrastructure, and methods for data exchange. There was one substantial change to the I&I document which included adding a data transmission section. Essentially, the data transmission

section states that protocols for data transmission must be generally available, nonproprietary, and protected by the most secure methods reasonably available to all participants. Increasingly, the trial courts are providing direct technical support to internal and external users of the court system. The court has more external users now than ever before. The subcommittee developed a staffing ratio to support internal and external users. The subcommittee also developed job descriptions for a Deputy Trial Court Technology Officer and a Systems Analyst to help with the increasing number of users being supported. These descriptions were proposed to the Trial Court Technology Budget Commission Funding Workgroup. The subcommittee plans to do a thorough review of the I&I document, as the last time the document was reviewed in its entirety was 2013. The subcommittee also updates the Standards for Electronic Access to the Courts. This document defines the standards for electronic filing. The subcommittee will review this document in its entirety and add language specifically referencing docket numbering and strengthening the language for judicial signatures, among other tasks.

G. Document Storage Workgroup

In November 2014, the Document Storage Workgroup was formed to do strategic planning to determine long-term goals and standards of storing electronic documents. Best practices to render and store documents are changing within the technology industry. As technology advances and new systems are purchased, it is difficult to know which technology to use. The Document Storage Workgroup has defined several objectives to accomplish these goals: 1) assess e-Portal filings to determine what can be done to make incoming documents more usable; 2) create documents in a manner that during their retention period would allow the initial document to be accurately reproduced at a later date when necessary; 3) educate filers on how to create appropriately authored documents; 4) create and maintain searchable text when possible for court-related content; and 5) create and maintain internal indexes or bookmarks when feasible for large documents. The Commission set a short-term goal of the Document Storage Workgroup requiring it to make a recommendation regarding the minimum standards for document storage and determine what can be accomplished with the current functionality while continuing to research how Clerks currently store documents.

H. Data Exchange Workgroup

In April 2014, the Data Exchange Workgroup was formed to develop standardized data exchanges between clerk case maintenance systems, circuit court judicial viewers, and state level systems (e.g., Judicial Data Management Services (JDMS) and Comprehensive Case Information System (CCIS)). The Data Exchange Workgroup is finalizing the Data Exchange Standards which will provide the framework for the data exchanges. Volusia County will pilot the implementation of CCIS 3.0 in May of this year. The pilot will deliver highly technical pieces of documentation such as the Web Service Description Language (WSDL), sample source code, documentation and use case scenarios. The completion of this documentation is expected toward the end of 2015.