



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met on December 12, 2019, at 10:00 a.m., EST, by WebEx. The following board members were present:

- ✓ The Honorable Tim Smith, Putnam County Clerk, Chair
- ✓ The Honorable Jeff Smith, Indian River County Clerk, Vice Chair
- ✓ The Honorable Tara Green, Clay County Clerk, Secretary/Treasurer
- ✓ The Honorable John Tomasino, Clerk, Supreme Court (by WebEx)
- ✓ The Honorable JD Peacock, Okaloosa County Clerk
- ✓ The Honorable Steve Land, Lafayette County Clerk
- x The Honorable Todd Newton, Gilchrist County Clerk
- ✓ The Honorable Karen E. Rushing, Sarasota County Clerk
- ✓ The Honorable Sharon R. Bock, Esq., Palm Beach County Clerk

Ms. Kerry Parsons, Esq., Authority General Counsel, was also in attendance.

I. The Honorable Tim Smith, Chair, opened the meeting at 10:00 a.m., EST. He welcomed those participating by WebEx. Chairman Smith asked for a roll call. A quorum was present.

II. Adoption of the Agenda

Chairman Tim Smith asked for a motion to adopt the agenda.

The Honorable Karen Rushing moved adoption of the agenda. The Honorable John Tomasino seconded the motion. All voted to accept the agenda as presented.

III. Reading and Approval of the Minutes

Chairman Smith recognized the Honorable Tara Green to present the October 1, 2019, minutes.

Hearing no suggested changes, the Honorable Tara Green moved adoption of the minutes as posted on the website. The Honorable JD Peacock seconded the motion. All voted favorably.

IV. **Treasurer's Report**

Review of the Monthly Financial Report

Chairman Smith recognized the Honorable Tara Green to present the October 2019 financial statements. She presented that assets at the end of October stood at \$5.1M, \$4.4 M in cash and \$700,000 in accounts receivable. Liabilities stood at \$ 1.1 M at the end of October and equity stood at \$4 M.

Through the month of October 2019, she informed the board, total revenues were \$724,000 and total expenses were \$540,000, for a net income of \$184,000. The change in net assets year to date is approximately \$586,000. There were no questions on the October financial report.

Tax Exempt Status

Mr. Brian Machek, CFO, FCCC, was recognized. He told the board that it was his professional opinion that they should file to be a tax-exempt entity, much like all their governmental offices were. He felt it was a best practice. There was brief discussion.

The Honorable Tara Green made a motion to authorize Mr. Machek to file the tax-exempt paperwork with the Florida Department of Revenue. The Honorable John Tomasino seconded the motion. There was a brief discussion; the board expressed that Brian Machek should be the signor of the form. All voted favorably on the motion.

Audit Reports

Mr. Ryan Tucker, Purvis & Gray, was recognized to present the annual financial audit. He reviewed the audit report, which resulted in an unmodified, or "clean" audit. There was comment about making a minor wording change.

The Honorable Tara Green moved adoption of the annual financial audit with the amended wording. The Honorable John Tomasino seconded the motion and all voted favorably.

V. **Progress Reports**

E-Portal Progress Report

Chairman Smith recognized Ms. Carolyn Weber, FCCC Portal Project Manager, to review the November 2019 status report. In the month of November, there were 270,761 registered users. During that month, there were 1.37 million filings, representing 2 million documents for the month, and just under 10 million pages. Ms. Weber reported that as of the end of November filings were slightly down, but that is the normal trend for this time of year. The time to docket a case remained static, at about one day to docket a filing.

2019.02 Release Update

Ms. Weber detailed the features of the release that was put in place December 7, 2019. She noted that it included a new civil cover sheet, to be made available on January 1,

2020, to take into account both county and circuit actions with a claim amount field; and a new driver improvement certificate look-up public website. The Honorable Tara Green asked that the Clerks all be made aware of the website.

Service Desk Report

Ms. Gia Howell, Portal Service Desk Supervisor, was recognized to present the November 2019 Service Desk Report. She reported that overall calls were down as well as the acknowledge time, but that the response times were in accordance with standards. There were no questions.

VI. Florida Courts Technology Commission

It was noted that the most recent Florida Courts Technology Commission (FCTC) meeting was held November 14-15, 2019.

There was brief discussion of the continued work on CMS standards and document numbering.

VII. New Business

2018-2019 Annual Report

Chairman Smith introduced the draft Authority Annual Report for the 2018-2019 fiscal year. There was brief discussion of a few minor revisions.

The Honorable Karen E. Rushing moved to accept the 2018-2019 Authority Annual Report with the suggested revisions and send it out as required. The Honorable Tara Green seconded the motion. All voted in favor.

Report on Florida Rules of Court – Amendments Related to Authority/Portal

Chairman Smith recognized Mr. Tom Hall to brief the Board on upcoming rule changes that have impact on the Portal and e-filing.

Tom Hall provided background on the proposed Rules of Judicial Administration and reviewed each change. The most major revisions, he explained, are the rules that will limit the reasons that Clerks can reject a filed document, and the revision that will reduce the number of original documents to be filed in criminal cases. The effective date is February, 2020. He told the Board he would keep track of this in the event the Authority may wish to file a comment on the rule.

There were no questions.

VIII. Old Business

There was no old business brought forth at this time.

IX. General Counsel Report**DIY Functionality Policy**

Ms. Kerry Parsons, Esq., E-Filing Authority General Counsel, reported that the draft DIY Functionality Policy was with the Office of the State Courts Administrator staff and the chair of the Judicial Management Council, which was meeting the next day. She felt that JMC would have comments on the current draft.

Chairman Smith spoke to wanting to work together with the JMC and the Supreme Court. He informed the Board he would like to hold a special meeting in later January to discuss the DIY/JMC process.

Mr. Chris Hart, CEO, FCCC, told the Board that the FCCC technical team was meeting with the Office of the State Courts Administrator (OSCA) technical team in the next week to try to move the issue forward. He noted that the teams will be trying to put together a flow chart, address the resources needed, and the process and steps needed to get an interview approved and posted on the A2J site. He informed the Board that OSCA had just hired two new OPS employees to help with the writing and programming of the interviews, a move that he hoped would very much reduce the time needed from the Portal technical team. He commented wanting to bring this functionality policy back to the Board in January.

The Honorable Sharon R. Bock commented that she wanted to make sure that the paragraphs about “notifications to the Authority Board,” and the need for the professional analysis would be retained in the policy. Mr. Hart agreed these aspects could all be handled in the flow chart.

Chairman Smith asked the Honorable John Tomasino and Mr. Blan Teagle, OSCA, if either of them had any comments; they did not.

Chairman Smith asked the Board to be prepared to meet in later January on this issue.

Public Comment

There was no one in the audience wishing to speak.

X. Adjourn

Mr. Smith thanked everyone for attending the meeting and reminded the Board and those on the WebEx that the next regular meeting was scheduled to be held on February 25, 2020, in conjunction with the FCCC Winter conference.

The meeting was adjourned at 11:23 a.m., EST.