



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met in a regular meeting on April 16, 2020, at 10:00 a.m., EDT, 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. Lynn Hoshihara, Esq., Authority General Counsel, was also in attendance.

I. Introduction and Roll Call

The Honorable Tim Smith, Chair, opened the meeting at 10:00 a.m., EDT. 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 Tara Green moved adoption of the agenda. The Honorable Karen Rushing 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, Secretary/Treasurer, to present the February 25, 2020, minutes as show on the screen and posted on the website. There were no questions or corrections to the minutes.

The Honorable Tara Green made a motion to approve the February minutes as presented. The Honorable JD Peacock seconded the motion. All voted in favor.

IV. Treasurer's Report

Monthly Financial Report

Chairman Smith recognized the Honorable Tara Green, Secretary/Treasurer to present the monthly financial report. The Honorable Tara Green presented the February 2020 financial report. There were no questions.

Budget Presentation

The Honorable Tara Green, Secretary/Treasurer, introduced Brian Machek, FCCC CFO, to review a draft budget for the 2020-2021 fiscal year. Clerk Green asked Mr. Machek to review the draft budget then closely monitor the filings so that he could adjust the budget, if needed, before the June meeting. He reviewed the budget overview document and proposed budget documents with the Board.

The Honorable John Tomasino asked if the budget could be impacted by the potential class action lawsuit filed. Mr. Chris Hart IV, FCCC CEO, commented that currently the case had not been certified as a class-action and the Authority was not a named entity in the suit, but were monitoring it closely.

Mr. Machek then reviewed the reserve policy highlights and Ms. Hoshihara was recognized to speak to an investment policy. Clerk Green noted that both policies would be brought back to the board with the budget at the next meeting.

The Honorable Tara Green commented that the E-Filing Authority and Portal has become an integral part of how people interact with the courts. It is our duty and responsibility to establish reasonable reserve and investment policies.

Directors and Officer's Insurance

The Honorable Tara Green made a motion that the board approve the annual Directors and Officers Insurance policy for \$1,013. The Honorable Steve Land seconded the motion. All voted favorably on the motion.

V. Progress Reports

E-Portal Progress Report

Chairman Smith recognized Ms. Carolyn Weber, FCCC Portal Program Manager, to review the March 2020 Progress Report posted on the website and displayed on the screen. She reviewed the document noting that as a five-year trend, filings were up. She then reviewed the filing numbers for the first few weeks of April showing that the filings had dropped off to about the half what was filed in March. She noted that in March there were \$66M in filing fees paid. For perspective, she reported that during the same first two weeks in April that there were only \$23M in filing fees paid.

Chairman Smith thanked Ms. Weber for providing e-filing volumes not the courts during this time. The Honorable JD Peacock asked her to send them to the Florida Clerk of Courts Operations Corporation also.

Ms. Weber reported the efforts the Portal Technical team has taken in working with Department of Revenue. She reported that as part of the April 25 release that they would be sending three different child support–related documents to Clerks, to alleviate volume of paper coming from the agency.

She also told the Board that the Portal team was working with local shelters to assist them and their clients in filing through the Portal.

Service Desk Report

Chairman Smith recognized Ms. Gia Howell, Portal Service Desk Supervisor, to review the monthly Service Desk Report. She reported that the call volumes were about the same as the prior month.

The Honorable Tara Green asked about the reasons that filers call and if there were assistive videos. The Honorable Sharon Bock asked if the callers were asked for the case types so that FCCC staff could better focus their messaging and “help” information. Ms. Howell responded that they did monitor the case types and could provide that if requested.

Chairman Smith recognized Kyle Dunaway, FCCC, to present a graphic he had developed under the direction of the FCCC Communications Committee for a weekly communications calendar for Clerks. He presented it to the Board as it was about the use of the E-Filing Portal. He asked the Board for their review and input before taking it to the FCCC Executive Committee for approval.

Chairman Smith felt the more information can be put out and drive people to right resources, the better it is. He asked if the information could be sent to the Board so they could share it with their local newspapers and radios, he would appreciate it. The Honorable Tara Green asked Mr. Dunaway if he would add into the graphic the notation about the available tutorials on the site.

VI. Florida Courts Technology Commission

The Honorable Karen Rushing noted that the work being done on docket descriptions was trumped due to COVID-19, but she hoped to resume the project at a later time.

VII. New Business

There was no new business reported.

VIII. Old Business

There was no old business reported.

IX. General Counsel Report

Chairman Smith recognized Ms. Lynn Hoshihara, Esq., Board General Counsel, to provide an update on the rules of court of impact to the Authority and Portal. She and Tom Hall informed the Board about the rules that they were responding to in relation to the Portal. She asked the Board to approve the comments in concept as provided to the Board through the memo and allow Mr. Hall and Ms. Hoshihara to draft the comments, allowing the Chair authority to approve the document.

The Honorable Jeff Smith made a motion to draft comments and bring them to the chair for approval before the filing deadline. The Honorable Steve Land seconded the vote.

The Honorable John Tomasino abstained from the vote as the comments would be filed with the Supreme Court.

All voted favorably on the motion.

Public Comment

Chairman Smith recognized Mr. Chris Hart IV, CEO, FCCC, to allow him to comment if needed. Mr. Hart praised the Authority's relationship with the courts. Chairman Smith mentioned that this fall would mark 10 years since the Board was formed. He mentioned the Honorable Karen Rushing, the Honorable Sharon Bock and FCCC staff who had been with the project since the beginning.

There was discussion about posting a message about the filing of eviction and foreclosure proceedings and it was decided it was not needed. Chairman Smith noted that the Authority was ready to help with any issues as needed.

There were no further comments.

X. Adjourn

Chairman Smith thanked everyone for attending the meeting and reminded everyone that the next meeting was the annual meeting scheduled for June 25, 2020.

The meeting was adjourned at 11:00 a.m., EDT.