



**The Florida Courts E-Filing Authority
Minutes**

Florida Courts E-Filing Authority Board of Directors met on March 12, 2013, at 3:30 p.m. at the Aloft Hotel in Tallahassee. The following members were present: Tim Smith, Putnam County Clerk, Chair; Joseph E. Smith, St. Lucie County Clerk, Vice Chair; Bill Kinsaul, Bay County Clerk, Secretary/Treasurer; Tom Hall, Clerk, Supreme Court; P. Dewitt Cason, Columbia County Clerk; Bob Inzer, Leon County Clerk; Karen Rushing, Sarasota County Clerk; Sharon Bock, Esq., Palm Beach County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel.

- I. Mr. Tim Smith, Chair, opened the meeting at 3:35 p.m. with a roll call. He welcomed those on the WebEx and those in the room.
- II. Mr. Smith asked for a motion to adopt the agenda. Mr. P. Dewitt Cason moved adoption of the agenda. Mr. Joe Smith seconded the motion. All voted to accept the agenda as presented.
- III. Mr. Smith recognized Mr. Kinsaul to present the February 2013 minutes. Hearing no suggested changes, Mr. Bob Inzer moved adoption of the minutes. Mr. Cason seconded the motion. All voted favorably to accept the minutes.
- IV. Mr. Smith recognized Mr. Kinsaul to present the February 2013 financial reports. There were no questions.
- V. Progress Reports

Monthly status: Mr. Smith recognized Mr. Levi Owens, e-portal project manager, to review the monthly status report. Mr. Owens reported that there had been an uptick in the number of documents filed—from about 76,000 the previous month to over 100,000 in February. He said there were 24,381 registered users. He reported that the percentage of documents initiating new cases still at 7%, and that of the cases filed in general, half the filings were in the circuit civil area. Currently, with Orange County, 59 counties have completed live e-filing in the civil divisions. Of the eight counties that were still in the process of connecting to the portal, some would be working hard up to the April 1 deadline.

Mr. Owens reported that the connectivity with the Supreme Court was going well. There were 60 Supreme Court Cases filed successfully. The number of appellate cases filed was increasing.

Criminal Pilot: Mr. Owens briefed the board on the criminal pilot project. He reported a target date of April 15 for the next milestone for the criminal pilot project. There will be live verification on existing criminal cases. Mr. Owens discussed the difference between the criminal pilot project and the batch interface. He noted that the batch would look the same to the Clerk as those documents file one at a time.

Mr. Tom Hall reviewed a letter to Chief Justice Polston from several counties calling themselves “the Odyssey counties,” after their vendor. In their letter, they referred to the need for a phased-in approach and the portal not being robust enough to handle the potential volume that is expected come April 1. He noted that the Chief Justice had asked him to share the letter and the Chief’s response back to the counties. Mr. Melvin Cox, Association IT Director, was recognized to speak to the issue. Mr. Cox presented a document that detailed the capability and capacity of the portal, showing the portal was robust and ready to handle very large volumes. He commented that the volumes represented in the letter were only those numbers gathered from technical thresholds found in the Scope of Work document, that the portal was built with far greater capacity. Currently, he told the board, the portal was operating at 15 percent capacity range on average and they would be able to add resources if needed. Mr. Smith noted that the Authority has been discussing over the past 6-7 months ramping up and the need to be able to handle the volumes as they occurred. He noted that the technical capacity is there and that staff was standing ready for any technical needs that may arise.

Mr. Hall also mentioned a letter from Ms. Alexandra Reiman, Rules of Judicial Administration chair. She recently sent Mr. Hall a letter noting that the committee had met and felt that no rule amendments were needed to address waiver procedures. He offered to follow up with the RJA committee on behalf of the Authority.

Mr. Hall then gave the board an update on the Supreme Court e-filing. He reported that in February they received 60 lives case filings without an issue. He noted that so far, when the attorneys begin to file electronically, the other attorneys tend to follow suit. He expressed concern, that as much as everyone was doing to get the word out about the Supreme Court order and the April 1 mandate, attorney readiness may still be an issue. Mr. Smith urged all members to be contacting their local attorneys to make sure they were aware of the April 1 requirement and to begin filing as soon as possible.

E-Service: Mr. Owens reported that the e-service workgroup had almost completed the requirements definitions phase of the project, that design specs had been delivered to the development staff. He reported that during the coming week they would be meeting with the State Attorney and Public Defender groups to determine any special needs and how to

best address those. Mr. Owens suggested that e-service functionality was on schedule for mid-year.

VI. Subcommittee Reports:

- a. User Forum: Mr. Cason reported that there were a large number of technical issues that had come before the User Forum. He cautioned everyone to make sure they were focused on the deadline and warned them of the workload that was coming. Mr. Cason asked to submit a more detailed report on the User Forum issues at the next meeting.
- b. Website Subcommittee: Mr. Hall informed the board that the selected vender, ArnAmy, had started design work on the Authority website just to get a template together. He also noted that he brought a signed copy of the contract for the board approval. Mr. Hall moved that the board approve the contract with ArnAmy and direct Mr. Smith to sign the contract. Mr. Cason seconded the motion and all voted favorably.

Mr. Hall told the board that by the next meeting he hoped to have a preview of the draft website to show the board.

VII. New Business

- a. Summonses: Mr. Smith led a discussion about how to handle summonses. The discussion he had locally centered on who should print them out; could the Clerk email them to the Sheriff; how to handle multiple parties; should the filer send copies themselves, pay the Sheriff and send a copy to the Clerk. He suggested that there should be a way to handle that and that Clerks should be having this discussion locally.

Mr. Bob Inzer said it should be handled the same way in each county. He would like to work with staff to come up with a standard way to handle summonses.

Mr. Smith named a subcommittee to discuss the issue and come up with a way to summonses that worked for everyone. He named Bob Inzer, Sharon Bock, Gail Wadsworth and Bill Kinsaul. Mr. Cason noted that as User Forum chair, he would like to be kept informed of this subcommittee and its progress. Mr. Tim Smith noted he would like the subcommittee to take on other issues after summonses, such as e-service. Ms. Bock moved to establish this subcommittee, the name of which to be determined. Mr. Inzer seconded the motion. All voted in favor of the motion.

VIII. Other Business

Mr. Owens informed the board that a solution for the pro hac vice attorneys would be in place by April 1. He explained that the U.S. attorneys were next on the list to be added to the portal.

There was discussion about the next meetings. It was decided that the April meeting would be held in person, in Central Florida, and address any April 1 issues. The May meeting would be a presentation on the best practices regarding standardized docket codes.

Public Comment:

Eric Anthony, a pro se filer, present by WebEx, shared concerns that if one of the parties in a case was able to e-file, that is set them apart and gave them an advantage, that the access was unequal. Mr. Smith responded to Mr. Anthony that, with the concurrence of the courts, that the portal was being built with a staged approach.

Dee Hitchcock, Broward County, asked about the board's letter to the Chief Justice and the outcome. Mr. Smith told her that the Chief Justice asked for suggestions and the board chose to wait until after April to better delineate any issues.

Hon. Diane Matousek, Volusia County Clerk, asked the board to notify all Clerk when the Best Practices would be presented.

Mr. Smith thanked all who attended and participated in the meeting. He asked all those in attendance to please help get out the word to register and use the portal.

XI. The meeting was adjourned at 4:47 p.m.