



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

Florida Courts E-Filing Authority Board of Directors met on August 16, 2012, at 10:00 a.m., by WebEx. The following members were present: Tim Smith, Putnam County Clerk, Chair; Bill Kinsaul, Bay County Clerk, Secretary/Treasurer; Gloria Hayward, Sumter County Clerk; P. Dewitt Cason, Columbia County Clerk; Karen Rushing, Sarasota County Clerk; Bob Inzer, Leon County Clerk and Lynn Hoshihara, Authority General Counsel.

Joseph E. Smith, St. Lucie County Clerk, Vice Chair; Tom Hall, Clerk, Supreme Court; and Sharon Bock, Esq., Palm Beach County Clerk; were not present.

I. Tim Smith, Chair, opened the meeting at 10:00 a.m. with a roll call. A quorum was present. Mr. Smith extended sympathy from the Authority to Ms. Sharon Bock for the recent loss of her father.

II. Mr. Smith asked for a motion to adopt the agenda. Hon. P. Dewitt Cason moved the adoption. Bill Kinsaul seconded the motion. All were in favor.

III. Mr. Smith recognized Mr. Kinsaul to review the July minutes. Ms. Karen Rushing moved adoption of the minutes with a minor spelling correction. Mr. Bob Inzer seconded the motion. All voted favorably for the minutes as amended.

IV. Mr. Smith recognized Mr. Kinsaul to review the July financial reports. Mr. Kinsaul reviewed them with the board. There were no questions.

V. Mr. Smith recognized Mr. Levi Owens, e-portal project manager, to review the monthly status. Mr. Owens informed the board that one more county had been connected to the portal in the past three weeks, bringing the count to 53 counties connected. There were no questions.

VI. A. Website Subcommittee: Mr. Smith asked staff to give this subcommittee report. Ms. Beth Allman told the board that the Request for Proposals had been advertised on August 1 and would run until August 31. A bidder's conference would be held by teleconference on August 22 to review any questions provided by that date. She informed the board that the subcommittee's hope was to have a progress report for the board at the next meeting.

---

B. Forum For Users: Mr. Smith asked Mr. P. Dewitt Cason to provide the subcommittee report. Mr. Cason explained to the board that the User Forum had considered opening up the role section menu to allow four law enforcement type agencies to file in order to better allow for the processing of criminal case data in the several counties that could already criminal cases through the portal. The forum prioritized the agencies as: sheriff's departments, local police departments, Florida Highway Patrol and Fish and Wildlife officers, and felt it would be effective to allow this as a permissive option for those counties that were ready to begin accepting case documents from those agencies on criminal cases. He explained that the revision would take no more programming. He also shared with the board that he had spoken about this concept with Mr. Laird Lile, after suggestions by the board to do so, to see how Mr. Lile might feel about this issue. Mr. Lile had been chair of the Authority Subcommittee for Non-Attorney Use of the Portal. He told the board that Mr. Lile was fine with expanding the roles to law enforcement. After lengthy discussion, the board asked that the roles for users not be expanded at this time.

Mr. Inzer made a motion that the board should put this issue on hold for future enhancements, and keep the focus on the attorneys and courts and to accept this prioritization when more roles are added. Ms. Rushing seconded the motion. She remarked that there seemed to be a lot of unmet needs at the attorney level. She felt the priority should be on uniformity. Mr. Smith asked for clarification as to what adding these law enforcement roles would entail. Mr. Cox responded that these roles were already available, no programming was needed. Ms. Rushing asked if adding the roles would complicate the support aspect needed for portal users. Mr. Cox responded that the more users, the more support is needed. Mr. Inzer remarked that it might be best to slow down and get attorneys up and running. Mr. Smith called the question. All voted favorably to put the issue on hold.

VII. A. Mr. Smith asked Ms. Jenna Simms to share any updates from the Florida Courts Technology Commission. She told the board that there was a group formed to discuss and attempt some clarification to both orders recently published, SC 10-2101 E-Service and SC 11-399 E-Filing. Hon. David Ellsperman, Marion County Clerk, serves as the Clerk representative to the group. She also mentioned that if anyone had any questions about the orders, to send them to Mr. Ellspermann. She said the workgroup would address e-service first.

Mr. Smith recognized Ms. Alexandra Reiman on the WebEx.

B. Mr. Smith recognized Hon. Marcia Johnson, Franklin County Clerk and chair of the association Best Practices Committee. He reminded the board that she had been asked by the Authority Board of Directors and the association Executive Committee to look at standardization of the drop-down menus on the portal. She explained that her committee was using a focus group for this effort made up of ten counties. She said the group was still working, but the project was a priority. Mr. Randy Long, association staff, clarified that the drop-down menus would align with the SRS categories. Mr. Cason asked if, as chair of the User Forum, he could be part of this effort. Ms. Rushing commented that in Sarasota County she had an administrative

---

order requiring e-filing in foreclosure cases. She noted that it also required mediation to file electronically, too. In those cases, she noted that the local order is out of sync with e-filing. She asked if she could send the order to Mr. Cason for consideration as to those roles. Mr. Inzer spoke again in support of standardization.

#### VIII. Other Business

A. Portal Time Stamp -- Mr. Kinsaul noted that both of the next issues have developed in Bay County and he would appreciate some discussion of them. Mr. Smith recognized Mr. Cox to explain the portal time stamp and how it was done now. Mr. Cox explained that having a time stamp that reflected the time zone in which a case or document was filed had been discussed early on in the building of the portal. In discussions with the FCTC, they urged that the time stamp remain as eastern time and allow the central time zone areas to handle it individually. Currently, the portal uses the ET notation for eastern time, keeping it the same for the entire state. If the board is asking for this aspect to be programmed to reflect the central time zone, he noted that it would take a considerable amount of programming time. Ms. Rushing commented that attorneys are concerned with timeliness of a document being filed. Mr. Inzer suggested the courts adopt a rule of clarification. Mr. Smith suggested that the Clerk members of the FCTC could ask for clarification.

B. File Format for Court Images -- Mr. Kinsaul told the board that images are currently stored TIFF format in many Clerk's Offices right now. He felt that they would have to be turned into searchable PDF documents. He asked if there had been any discussion of how Clerk's documents were being stored. There was brief discussion of the issue. Mr. Smith suggested that only those older documents would have to be changed if they were needed. Mr. Cox said there has been discussion of this at FCTC. He explained that they have adopted standards, TIMMS or CAPS, and that there was a way to accommodate this without changing the stored document.

Mr. Smith moved to the Public Comment portion of the meeting.

Ms. Rushing asked if she could add another item for Other Business. She asked about e-service and the portal being able to handle it. Mr. Smith commented that e-service does not currently involve the authority, but they could possibly use the concept as a revenue source down the road.

Mr. Inzer agreed the issue should be discussed by the board and it was the first he had heard of the authority looking at enhanced services for revenue generation. He felt the board ought to be more engaged in any revenue generation and enhancements. Mr. Smith suggested the majority of the September meeting should be a discussion of the enhancements, direction, and funding.

Mr. Laird Lile asked how attorneys would be complying with the service requirements. He said there are third parties trying to fill the niche now, that if the portal is not ready for this for a year, the need may already be filled. Ms. Rushing offered to work with staff on how to do this.

Mr. Inzer commented that unbeknownst to the members, changes were made to the portal a few weeks ago that required public agencies, those that would normally file without payment, fill out an indigency form in order to file without charge. He questioned when the change happened and why the board was not made aware. He said staff had suggested a work-around, but that it was not acceptable. Mr. Owens mentioned that there was a way to allow agencies to file without change if one went into the administrator mode and set them up as an agency to file without pay. He suggested that Mr. Inzer could contact the Service Desk and they could help him. Mr. Inzer said that solution was not acceptable.

Mr. Inzer made a motion that the programming changes be undone and agencies be allowed to file without charge and without having to fill out an indigency form. Ms. Rushing seconded the motion. A discussion followed and Mr. Kenneth Kent asked if staff could have time to review the issues and get back to Mr. Inzer at the next meeting. Ms. Rushing asked for clarification as to whether the action was directed to be done at the staff level or at the policy level. Mr. Shore asked for the names of the agency contacts so staff could meet with them and solve their issues directly.

Mr. Inzer withdrew his motion and offered to sit down with staff.

Mr. Smith asked if anyone in the public had any questions.

Mr. Ken Burke informed the board that the September 13 meeting was the day of an FLCCOC meeting that was scheduled for Miami. He asked that the board coordinate their meetings with the FLCCOC. Mr. Smith told him that Authority staff had done so in late June and also provided them with the Authority's schedule for the year at that time. The Authority schedule has also been posted on the Authority homepage.

XI. The meeting was adjourned at 11:12 a.m.