



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met on June 9, 2014, at 10:20 a.m. at the PGA National, Palm Beach Gardens, Florida. The following members were present: Tim Smith, Putnam County Clerk, Chair; Joseph E. Smith, St. Lucie County Clerk, Vice Chair; Tara Green, Clay County Clerk, Secretary/Treasurer; Alex Alford, Walton County Clerk; Bob Inzer, Leon County Clerk; Sharon Bock, Esq., Palm Beach County Clerk; Karen Rushing, Sarasota County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel. John Tomasino, Clerk, Supreme Court was in attendance by WebEx. All members were present.

- I. Mr. Tim Smith, Chair, opened the Annual meeting at 10:37 a.m. with a roll call. He welcomed those on the WebEx and those in the room. He recognized Chief Justice Ricky Polston and in-coming State Court Administrator P.K. Jameson as special guests at the table and thanked them for being in attendance.
- II. Mr. Tim Smith asked for a motion to adopt the agenda. Ms. Sharon R. Bock, Esq., moved adoption of the agenda. Mr. Joe Smith seconded the motion. All voted to accept the agenda as presented.

Annual Meeting

- III. Mr. Tim Smith opened the Annual meeting of the Authority and provided an overview of the year's activities. He compared portal operations from a year prior to current operations, attributing much of the success to Chief Justice Polston for his direction and vision, and steadfast belief in what could be accomplished. Mr. Tim Smith's remarks are attached at the end of these minutes.
- IV. Mr. Tim Smith moved into the election of the Vice Chair and Secretary/Treasurer. First, Mr. Tim Smith thanked Mr. Joe Smith for his service as Vice Chair the past year and recognized Ms. Gail Wadsworth, Flagler County Clerk, as his replacement on the Board of Directors. Ms. Tara Green nominated Mr. Don Barbee as Vice Chair for the next year. Mr. Bob Inzer seconded the nomination and all voted favorably.

Mr. Tim Smith thanked Ms. Green for her service the past year as Secretary/Treasurer and asked for nominations from the floor for that position. Mr. Inzer nominated Ms. Green to serve again as the Secretary/Treasurer. Ms. Bock seconded the motion and all were in favor.

With the elections over, Mr. Tim Smith concluded the Annual Meeting and opened the Annual Meeting of the Board.

Annual Meeting of the Board

- V. Mr. Tim Smith recognized Ms. Green to present the May 2014 minutes. Hearing no suggested changes, Mr. Bob Inzer moved adoption of the minutes. Mr. Barbee seconded the motion. All voted favorably to accept the minutes.
- VI. Mr. Smith recognized Ms. Green to present the Treasurer's Report. There were no questions.

Ms. Green reviewed the proposed 2014-2015 Authority budget and moved the adoption of the budget. Ms. Bock seconded the motion. All approved the proposed budget. Ms. Green asked Ms. Lynn Hoshihara, Esq., General Counsel for the Board, to look at a policy for minor budget amendments, to relieve the board from having to review and vote on every need for moving money within the budget. She asked Ms. Hoshihara to bring back a suggested policy for review at the next meeting.

VII. Progress Reports

Monthly status: Mr. Smith recognized Ms. Jennifer Fishback, FCCC Portal Project Manager, to review the monthly status report. Ms. Fishback reported that the number of filings and registered users were still increasing. Only 2.3% of the filings were going to the pending queue; it was taking about 1 day to docket; and 72% of the filings were using the e-service option. She noted that there were 61,479 user accounts this month. Criminal filings were still increasing, this month showing 254,000 filings to criminal cases. Batch filings constituted 57% of those filings, and single session filings were at 43%. Ms. Fishback reviewed the details of the next software release.

For the upgrade, she noted several items, such as the look would fill the screen a little better, there would be online help linked to each pages, filer roles will be associated with docket codes. She did note that Clerks would need to be thinking about their docket codes as other filer types would be coming on later in the year for the September 20 upgrade.

Mr. Tim Smith asked Ms. Fishback to make sure Ms. P.K. Jameson, the in-coming State Courts Administrator, was aware of the details and schedule in the event she got any questions.

Ms. Rushing asked if when the judges begin using the portal, will we be able to represent to the Department of Corrections (DOC) that this is truly secured and the form will not be

necessary? Ms. Fishback verified that the technical aspect would be taken care of in the 2014.03 upgrade scheduled for October 24, 2014 and would include commitments, sentencing, court orders and the like. Ms. Rushing commented that she was not sure that DOC would accept the orders without the form. She encouraged staff to keep checking on it.

Mr. Tom Hall asked if the appellate court ever ordered anyone released and, if so, he urged that they be included in the conversations.

Service Desk Report:

Mr. Melvin Cox was recognized to present the service desk report. He reported to the board that the customer service calls were down, to under 3,000 and technical calls were down from April's total of 836 to the May total of 537. The average time to resolve was still under 1 day. Customer service contacts showed that 71% come through email and 29% come by way of phone. He told the board that he felt that the Service Desk would be able to handle the volume as more user groups were added. He also said he would begin to report calls by filer type, starting with attorney, judge, and pro se. Mr. Smith asked that he bring that information to the next meeting.

Ms. Rushing asked if judges' issues will be able to be handled quickly by the service desk? Mr. Cox responded that they were giving the judges their own email address for the Service Desk so they could be recognized as a judge user.

Ms. Bock asked if there was a way to track the common issues that are being asked by filers. She suggested the issues be used to update the FAQs and other help materials. Mr. Cox said there was and he offered to bring her detail of that for the next meeting.

Mr. Smith recognized Chief Justice Polston for his support in helping get the Service Desk off the ground. And the FCCC staff who support it.

VIII. Florida Courts Technology Issues:

Mr. Tim Smith recognized Ms. Bock, Ms. Rushing and Mr. Ellspermann if any of them wished to speak about the recent FCTC meeting. He recognized Ms. Rushing. Ms. Rushing reported that she had participated in a meeting on an issue that keeps coming up. She recognized that including docket line numbers was more related to the Clerks' case maintenance level than the portal, and that the Tyler counties might have issues, but that in a meeting they agreed that all dockets must be numbered. She urged those who have a system where line numbers can be added, to please do so. She felt that it should be done because the court and legal community feels it is important.

Ms. Bock asked when Clerks would be able to stop taking paper from attorneys. She suggested that by September there should be an outline of dates and the like.

Ms. Chris Blakeslee responded that she was working on a proposed order to allow Clerks to stop taking paper. She mentioned that the dates would be September 2014 for civil filings and September 2015 for criminal filings.

In regard to the Department of Corrections (DOC) issues, Ms. Blakeslee said that both Judge Munyon and she were getting calls from the court administrators asking if it was mandatory for judges to file through the portal. She said they were encouraging them to do so, but recognized it was not mandatory.

Mr. Tim Smith said the he felt that once some judges began to use the portal, others would come on.

Ms. Rushing commented that the security of the portal should be emphasized with DOC.

IX. Committee Reports

Rules Committee:

Mr. Don Barbee reported that he had held a positive meeting with the Clerk Bar liaisons. They were ready to attend the rules committee meetings at the Annual Bar Convention to be held later in the month.

Joint Authority/FCCC/FCTC Pro Se Committee:

Ms. Bock reported that she felt there would be a lot of activity in Florida over the next year, such as adding pro se filers to the portal starting June 20, A2J training is coming, and there is a pro se session at the summer conference. She felt that eventually there would be an Access to Justice Commission in Florida. She also commented that AOSC 14-19 will drive all the remote viewing. Along with The Florida Bar Association Annual Meeting, there will be a meeting of the Access Committee of Vision 2016 group. They have asked Ms. Bock to report on what the committee has done toward assisting pro se filers file electronically.

Mr. Tom Hall remarked that he was taking part of a panel on the National Appellate Clerks Conference in Richmond, Va., in mid-July. In the report, he noted that Florida will be the only state where A2J is incorporated into the portal and the vendor owns the software.

Ms. Green asked when A2J would be ready? Ms. Bock said she was putting together an education plan to roll out to Clerks.

X. Legal Counsel Report

Public Records Policy:

Ms. Lynn Hoshihara said she would bring a draft policy to the board at the next meeting.

XI. Public Comment

Mr. Joe Smith took a point of personal privilege to recognize the success of the E-Filing Authority. He especially thanked Mr. Tim Smith and Chief Justice for their leadership and, although he would be going off the board, expressed his hope for continued success.

Mr. Tim Smith made closing comments. He thanked Chief Justice Polston for selecting Mr. Tom Hall to serve on this board, that he had been key to the success of the portal. Mr. Smith remarked that the new Supreme Court Clerk, Hon. John Tomasino, will carry on that progress. He commented that he was excited about the future of the courts and thanked both the Chief Justice and the incoming State Courts Administrator, P.K. Jameson, for attending the meeting.

XII. Adjourn

The meeting was adjourned at 11:57 a.m.

Annual Report of the Florida Courts E-Filing Authority to the Membership

Last year at the 2013 Clerks' Annual Conference, Chief Justice Ricky Polston gave us his four areas of focus:

- 1) The need for increased Help Desk services;
- 2) Filers should be able to see the documents in a case;
- 3) The Portal should be a two-way street; and,
- 4) Standard drop-down menus for filers.

The development of one of the country's first complete e-filing systems has come a long way since we heard those words.

Let me paint a picture for you of how far we have come in just one year since the Chief stood before us and shared with us his vision for Florida's e-filing system.

- This time last year there were almost 45,000 filings a month. Today we are seeing over 1.1 Million filings a month, an average of 53,000 per weekday, representing well over 1.7 Million documents monthly.
- There were just over 46,000 registered users this time last year. Today, with about 90,000 Florida Bar members, over 60,000 are registered users.
- After a year or so of work, at this time last year the portal had finally reached a point of all 67 counties accepting civil court documents on April 1, 2013. Today, mid-2014, the portal accepts all five civil case types, as well as all five criminal case types – in all 67 counties.
- As the system began last year in earnest, lawyers and their assistants were learning the new system. It took the one or two help desk staff we had available up to two weeks, at times, to return the large volume of calls they received.

We now have a robust Service Center, handling both technical calls for Clerk's Office support and customer service calls from filers. At around 3,000 to 4,000 customer service calls a month, resolution time for most calls is less than half a day.

- Clerks' Offices have gotten more used to the new workflow. They have worked with us on upgraded systems and performance improvements—all both on their end and on ours. The average days to docket at this time last year was 4.35 days. Today, that time has decreased to 1 day.
- Over the year, upgrades were made to the portal to make filing easier. Two major features were added—an automatically generated civil cover sheet and the ability to serve parties electronically through the portal. Adding an automatic cover sheet means one less document to remember to attach.

Since last fall, over 4.5 Million filings have used e-service—amounting to many more millions of emails saving untold hundreds of thousands of dollars to law offices.

We have encouraged standard drop-down menus. While there is still work to be done in this area, standardized criminal docket descriptions have been adopted, by and large. Clerks have initiated adopting a standardization of judicial orders and there are more standardized drop-downs to come.

- We have held training over the past year for, literally, thousands of lawyers, law office staff, Clerks and their staff. For one session alone over 2,000 people registered.
- Lanigan & Associates, the Authority auditors, do an annual audit of the Authority financial statements and an SSAE 16 operational audit on our operations and technical systems. Once again, the Authority received an unqualified, or “clean,” audit.

The Authority Committees have done a good job this year:

- The Authority Website Committee is responsible for our new, professional looking website.
- The Pro Se Committee added members of the Association, Florida Courts Technology Commission, and the legal service community to make up a well-rounded committee to be able to handle the pro se issues as they arise. They are looking at assisting with the implementation of an automatic forms tool over this next year, and the portal will be accepting pro se filers later this June.
- The Rules Committee has built a very good working relationship with The Florida Bar and we now have Clerks' attorneys as liaisons to each of the Bar Rules Committees. They will attend the rules committee meetings in late June and officially begin their service July 1. I cannot tell you what a tremendous step this is and how having a formal relationship with The Bar will surely benefit all our offices.
- We have worked with Judge Hilliard's Access Governance Committee and the FCTC to determine how to best bring on other filer types. Come late June, the portal will allow for pro se filers and will provide a secure log-in for judges so that they may send orders to the Clerks. Communication between Clerks and Judges is part of the two-way street the Chief Justice asked for. These are more opportunities we can develop in this area.

Over this next year, I anticipate that we will be opening up the portal to other court system users, such as mediators, mental health providers and the like. A phased-in approach will allow our Service Desk to accommodate a rising call volume.

In short, that is what we have seen at the Board level, the 10,000 foot level. And it is good.

I do not dismiss the progress we have been part of.

The Florida Courts E-Filing Portal is one of the few portals in the nation that encompasses all Florida's counties and all trial court case types.

We are the only e-filing system in the nation with a governance structure like this one—a public body, with a cooperative board comprised of Clerks and the state's highest court. We have built the system and made it work in a brief period of time. We have acted swiftly and fearlessly. We have had to make decisions that were not easy and we have had to work through issues to make sure the solutions worked for everyone, if not as many as possible.

I would never say Florida's e-filing solution is finished; we have much work yet to be done. And, while we can see more work to do, the system works -- to the end that 60,000 registered users are filing almost 2 million documents a month.

These numbers far exceed all of our expectations – and they continue to grow.

I have to say, there many, many contributions that lead to an idea becoming a reality. And to a success. And that is what we have – a success.

Many of those who have made contributions to this success can be seen in this room.

I just want to thank each and every one of you for being a part of this project. Please take this to heart and know that the Board and I recognize the parts all of you have played in making this system better every day, better for your offices and better for the filers.

I say in all truthfulness, we would not be where we are today without the support of Chief Justice Ricky Polston. We would not have been to this point without his commitment and vision to push us farther and faster than we thought we could go. He believed we could build a statewide system that functioned much like the court, just without bricks and mortar. So he gave us goals to meet--both through administrative order and in-person. And we are meeting those expectations. We extend sincere thanks to a truly great leader of the Supreme Court of Florida. We are honored to have had his involvement. Thank you, Chief Justice Polston.

There are so many others I want to thank, as you, too, took on the Chief's challenge and are making it a reality – the importance of the Clerks and their offices cannot be overstated. The Florida Bar has shown us unwavering support. The association staff—both program and technical staff are what make the system tick and make us look good. Without legal advice, counsel and the ability to negotiate, we would be off track without attorneys Fred Baggett and Lynn Hoshihara.

Vendors—if your systems did not interface, the workflow would not be seamless from portal to court. Legal assistants and attorneys: We would be nowhere if you did not have to use the system. There are undoubtedly many others who deserve thanks, but of whom I am not even aware.

I end this annual report feeling humbled by the scope of such progress and how many people have been involved.

And I look on a bright future and marvel at where we can go.