



## The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors held a regular meeting on February 13, 2014, at 10:00 a.m., EST, by WebEx. The following members were present: Tim Smith, Putnam County Clerk, Chair; Joseph E. Smith, St. Lucie County Clerk, Vice Chair; John Tomasino, Clerk, Supreme Court; Alex Alford, Walton County Clerk; Don Barbee, Esq., Hernando County; Sharon Bock, Esq., Palm Beach County Clerk; Bob Inzer, Leon County Clerk; Karen Rushing, Sarasota County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel. Tara Green, Clay County Clerk, Secretary/Treasurer, was not present.

- I. Mr. Tim Smith, Chair, opened the meeting at 10:02 a.m. with a roll call. He welcomed all on the WebEx and reminded all to mute their phones and keep extraneous noise to a minimum.

Mr. Don Barbee moved adoption of the agenda. Mr. Bob Inzer and Ms. Karen Rushing seconded the motion. All voted favorably.

- II. Minutes  
Mr. Tim Smith passed over the minutes until later in the meeting.

- III. Progress Report  
Mr. Smith recognized Ms. Fishback to present January Progress Report. She reported that there were 1,062,516 filings, which equaled over 1.7 million documents. The average number of filings through the portal was 49,500 a day. There were almost 800,000 e-service emails and 57,769 user accounts. She displayed a chart showing that filings occur every hour of the day, with peaks between 10:00 a.m. and Noon, and between 3:00 p.m. and 5:00 p.m. She also displayed a chart showing that it was taking fewer days to docket filings and fewer cases were going to the pending queue. She told the board that the portal had 100 percent uptime for the month of January.

She noted that a new release was being staged for March 28, release 2014.01. The release would provide enhancements so that the user could file on a case from the My Cases screen, provide some enhanced search capabilities and e-service functions.

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### Supreme Court /Appellate Report

Ms. Fishback reported that there was success being seen with the 2<sup>nd</sup> DCA Clerk to Clerk module.

### Service Desk Report

Mr. Melvin Cox reviewed that two-prong service desk approach—customer service (attorneys) and technical service (clerks). He compared the customer services calls for the months of December and January, 3,017 and 3,015, respectively. He showed the resolution time for January had improved from 2.42 days to .26 days. The January figures showed no backlog of calls or emails. On the technical side, the number of incidents received in December was 1,102 and 1,035 in January. At the end of December, 233 contacts were open and 224 remained open at the end of January. Resolution for the technical issues had decreased from 1.4 days to 1.3 days. He reminded the board that technical calls took more time to resolve.

Statistics showed that, overall, 72 percent of the January Service Desk contacts were by email, 28 percent were by phone.

Mr. Tim Smith thanked the Service Desk staff on the WebEx for all their hard work.

#### IV. Florida Courts Technology Commission Issues:

Mr. Cox told the board he would be reporting to the FCTC on a mechanism for adding judges to the portal that would provide security to the registration process. He reported that there would be discussions of e-service and filing by pro se users and other filer types.

Ms. Sharon Bock commented that she would be raising the issue of when Clerks would stop taking paper. Mr. Don Barbee remarked that the issue had been referred by the board to the Association for reply to the Chief Justice. Mr. Tim Smith confirmed he was working on the issue with President O'Neil.

Ms. Rushing commented that an FCTC committee made a motion that the clerk could stop keeping paper 90 days after the judge viewers were in place.

Mr. Kent told the board that on request from Judge Munyon, the FCTC Chair, that the association was doing a survey to determine the clerks' process for maintaining document in paper or electronic form, or both.

#### V. Committee Reports

##### a. Joint Authority/FCTC/FCCC Pro Se Committee

Mr. Tim Smith recognized Ms. Bock to provide a report to the board of her meeting held February 4, 2014. Ms. Bock reported that the Joint Committee agreed with three of the four recommendations that the association committee had approved. She explained that Judge Reynolds had asked that the fourth recommendation be amended

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to allow a pro se filer to register on the portal for access to file, but to registers in the Clerk's Office in person if they wanted access to confidential information within the case file. She suggested taking the Joint Committee's recommendation back to the Association committee and then bringing it back to the Authority. She also mentioned that Judge Reynolds planned to raise the issue at his Portal Subcommittee meeting to be held the February 18, the day before the FCTC meeting. She thanked staff for moving forward with the A2J programming.

Mr. Tim Smith asked staff how long it would take to add pro se filers to the portal? Mr. Cox responded that it might only take about 90 days to put up some A2J interviews, but could be longer depending on how many interviews needed to be implemented.

Ms. Bock also suggested that they would discuss other states' best practices and hope to bring the Authority a project plan.

Mr. Tim Smith told Ms. Bock that the Authority would like to be able to track the progress of this project, offer assistance and hear progress reports. He spoke to the need for the project to be able to offer the pro se filer the most assistance.

Mr. John Tomasino pointed out that whatever forms the A2J assisted in filling out for subsequent filing, the forms would have to be approved by the Supreme Court. Mr. Hall commented that if the issue was discussed at the FCTC meeting, it would be good for the Chief Justice to hear.

Ms. Rushing commented that the forms are already approved by the Supreme Court; the questions and assistance are what Clerks do already. Ms. Bock agreed. Mr. Tomasino clarified that the family law forms are approved by the Supreme Court, but other forms are not. Any other forms or changes to the forms, he told the board, will have to be approved.

Mr. Hall spoke to the idea of pro se filers having to verify themselves by going to the Clerk's Office. He commented that some pro se filers cannot do this. His example was of the filer being out of state, or in another county of the state. He suggested the filer be able to register at the local Clerk's Office even if the case to be filed will be filed somewhere else.. He suggested more thought be given this proposal before it is raised at the FCTC meeting.

Ms. Bock suggested a form be posted on the E-Filing Authority website that the pro se filer could have notarized and mail in verifying identity Mr. Tim Smith urged caution, to be aware of those who may wish to violate the process for ill-gotten gains.

## VI. Old Business

### a. Local Clerks' Storage Needs:

Mr. Cox reported that he had begun researching this issue raised at the last meeting. He updated the board on the issue discussed at the FCTC Technology Standard

meeting recently held. He explained that they would like to tighten up the portal and require a higher standard to help address the issues raised by Mr. Barbee. He also noted that in doing so, he would not want to negatively impact the filers. He would like to work on the issue a little more and bring to the board a recommendation control documents at the portal level. He asked that the item be kept on the agenda as old business.

Mr. Tim Smith stated for the record, that now that the February 3 date for mandatory criminal e-filing had been met, it is time to get back to look at standard document descriptions. He asked the Authority to request the FCCC Best Practices Committee to continue their work to develop the Best Practice for standard docket descriptions for civil documents to further meet the Chief Justice's desire for more standardization. Ms. Rushing made the motion; Mr. Inzer seconded the motion. All voted favorably.

Mr. Tim Smith reverted to agenda item II and asked for a motion to approve the January minutes. Mr. Inzer moved approval of the minutes. Mr. Tomasino seconded the motion. All voted favorably.

Public Comment: There were no comments.

Mr. Tim Smith reminded everyone of the next meeting, to be held on March 10 from 1:00 p.m. to 3:00 p.m. in Tallahassee. He noted that the Chief Justice would be coming at the end of the meeting to tour the Service Desk facility.

VII. Adjourn

The meeting was adjourned at 10:50 a.m.