



## The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors held a regular meeting on December 11, 2014, at 2:00 p.m., EST, by WebEx. The following members were present: Tim Smith, Putnam County Clerk, Chair; Don Barbee, Esq., Hernando County, Vice Chair; Tara Green, Clay County Clerk, Secretary/Treasurer; John Tomasino, Clerk, Supreme Court; Bob Inzer, Leon County Clerk; Gail Wadsworth, Flagler County Clerk; Karen Rushing, Sarasota County Clerk; Sharon Bock, Esq., Palm Beach County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel, were present. Alex Alford, Walton County Clerk, was unable to attend.

- I. Mr. Tim Smith, Chair, opened the meeting at 2:01 p.m. with a roll call. He welcomed all in the room and on the WebEx. He reminded all those on the WebEx to mute their phones and keep extraneous noise to a minimum.
- II. Mr. Don Barbee moved adoption of the agenda. Ms. Sharon Bock seconded the motion. All voted favorably.
- III. Reading and Approval of Minutes  
Mr. Tim Smith recognized Ms. Tara Green to present the October 2014 minutes. Hearing no suggested corrections or changes, Ms. Gail Wadsworth moved to approve the minutes. Mr. John Tomasino seconded the motion and all voted in favor.
- IV. Financial Report  
Mr. Smith recognized Ms. Green to present the Treasurer's Report. She reviewed the October month-end statement. Ms. Gail Wadsworth moved to accept the Treasurer's report. Mr. John Tomasino seconded the motion and all voted favorably.
- V. Progress Reports  
E-Filing Authority Progress Report  
Mr. Smith recognized Ms. Jennifer Fishback, FCCC Portal Project Manager, to review the monthly status report. Ms. Fishback reported that the filings were down for the month of November, with just under 1 million filings, representing 1.5 million documents. However, she noted, that was expected for this time of year when court filings are traditionally lower due to the holidays. The number of registered users had

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slightly increased, to 73,814. She also reported that the new filer roles were registering and using the portal, process servers in particular. She also noted that filings initiated by judges were increasing.

#### Portal Change Process Committee

Mr. Smith recognized Dr. Carole Pettijohn, Director of IT for the Manatee County Clerk's Office and chair of the newly formed Portal Change Advisory Board (PCAB). Dr. Pettijohn reported that the PCAB had been newly formed of IT staff from about 15 counties. The group had already met and was working through 75 HEAT tickets, requests for changes to the portal from filers or other users. She briefly reviewed the priority list with the board. Mr. Smith asked about the item that asked for additional fields, noting that it went against what the Board of Directors was trying to do. Mr. Tom Hall asked about allowing filers to opt out of portal email notices. Dr. Pettijohn acknowledged that some emails were just notification that the filer may not wish to receive, while others were more important. Ms. Fishback noted that none of the emails pertained to service. Mr. Hall commented that he just wanted to make sure that the functionality of the portal was no less than that needed for the eDCA. He suggested working with Hon. John Tomasino and Ms. Fishback as they moved forward to make sure things were not taken out that should be left in. Mr. Smith agreed on that direction. He said this is why the PCAB was set up and would bring the details to the board before any modifications to the portal were made.

#### Service Desk Report

Ms. Brenda Standish reviewed the service desk report. Mr. Smith asked what types of calls they were getting from pro se filers. Ms. Standish reported that the calls were not legal questions but more on how to use the portal. Ms. Green asked why attorneys call. Ms. Standish said attorneys are asking about account set-up, how to work the pending queue and password re-set/account updates. A few of the attorney calls refer to county issues.

#### VI. Florida Courts Technology Commission

The next FCTC meeting will be held February 18-19 in Orlando.

#### VII. New Business

SC14-721

Mr. Smith recognized Ms. Lynn Hoshihara, Esq., the board general counsel, to discuss the amendments to rule 2.520, RJA, as presented in this opinion. Ms. Hoshihara reviewed the amendments to the rule consisting of revised page margins, ADA requirements and timestamp requirements. She noted that the portal was ready—the timestamp having been moved some months prior. Mr. Tom Hall provided some general concerns he was hearing about the timestamp machines not being able to meet the requirements. He told the board he was working with The Florida Bar and the chair of the Rules of Judicial Administration Committee to file an extension of time for the comment period. There was discussion that this may impact the pending queue. Mr. Smith asked counsel and Mr. Hall to keep the board apprised of the issue.

## VIII. Old Business

Letter from Hon. John Tomasino

Mr. Smith briefly reviewed the draft letter to Mr. Tomasino, who had previously sent a letter on behalf of the Supreme Court asking for assurance that the Authority would not charge a filer for using the A2J system. He felt that everyone supported not charging for the use of A2J, but that it was also recognized that there would be a cost for managing the A2J system as it relates to the portal. He asked Mr. Kent to bring back the costs to the board at the next meeting based on issues they are seeing now with the Judicial Management Council's (JMC) desire to have any additional documents or aspects and what level of involvement it would take to do so. He asked the board for their consideration and approval of the draft response to Mr. Tomasino. Ms. Sharon Bock commented that she supported not having users pay for the use of the A2J system. There was a brief discussion of what forms should be offered, how many forms were actually approved by the court and what are the intentions of the JMC.

Ms. Jenna Simms clarified that the JMC was not intending to have all the forms for all case types available on the A2J system. She asked that the questions and the forms that were already ready on the A2J test site be sent to her so that the JMC and the appropriate Bar committee can review and approve them for completeness and legal sufficiency.

Mr. Smith asked the board for approval of the draft letter, to include a part of an A2J contract that talks about no charge to the filer. Ms. Bock moved to approve the letter. Ms. Green seconded the motion. There was no discussion. All voted favorably.

Discussion on Standardization

Mr. Smith asked Ms. Fishback to review the progress she has made on standardization. Ms. Fishback shared the recent exercise the portal team had undertaken with the Fourth Judicial Circuit clerks and Charlotte County. She and Ms. Carolyn Weber had travelled to Clay County, where all the circuit counties met. They focused on divisions, case types and subtypes. Ms. Green, Clay County Clerk, told the board that they made the decisions for standardization as a circuit; Clay, Nassau and Duval Counties, based on urging from their chief judge. They got together and decided what drop-downs the filers would see, so they could be the same throughout the circuit. Ms. Green said her county was in production, Nassau was in process, and Duval was still working on it. She felt that in a few more months a filer will see the same drop-downs for each of the three counties when they file in that circuit. Ms. Green felt they may need some more time to be able to look at docket codes in order to standardize those as well. She thanked Ms. Fishback and the portal team for coming and looked forward to continued work.

Mr. Ken Kent was recognized to give the report for Hon. Marcia Johnson, Best Practices Committee Chair, who was unable to attend. He said that a workgroup of the committee was looking at standard docket descriptions. They had been meeting and reviewing the document descriptions. The group has representative from 12 counties who are working to comparing each of their county's descriptions to come up with more consistent

groupings. They are also looking at the next non-attorney filer roles. They are looking at the media and surety bond filers so those drop-downs are ready when those new groups are added.

Mr. Smith recognized Ms. Karen Rushing. She commented that she supported uniformity but expressed concern that what was taking place in the 4<sup>th</sup> Judicial Circuit was not necessarily what may happen in the 12<sup>th</sup>. She felt that could create circuit-level differences. She felt a method to create a statewide uniformity may be a better approach. Mr. Smith acknowledged that there would always be circuit-level differences. She suggested making the 4<sup>th</sup> Circuit lists available to all circuits to review. She asked to review the 4<sup>th</sup> Circuit list of drop-down selections.

Prior to asking for public comment, Mr. Smith thanked the Honorable P. Dewitt Cason, Clerk of Columbia County and former board chairman, for being on the phone. He also recognized the Honorable Ray Norman, Clerk of Bradford County, on the Services Group for his continued support of the board and the portal.

Mr. Smith reminded everyone that the next meeting would be held February 3, 2015, in conjunction with the Clerks' Association's Winter Conference.

#### Public Comment

There were no other comments.

#### IX. Adjourn

The meeting was adjourned at 3:05 pm.