



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors held a regular meeting on October 6, 2015, at 10:00 a.m., EST, at the Wyndham Grand Resort Bonnet Creek, Orlando, Florida, and 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; JD Peacock II, Okaloosa County Clerk; Bob Inzer, Leon County Clerk; Jeff Smith, CPA, Indian River Clerk; Karen Rushing, Sarasota County Clerk; Sharon Bock, Esq., Palm Beach County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel, were present. All members were present.

- I. Mr. Tim Smith, Chair, opened the meeting at 10:04 a.m. with a roll call. He welcomed all in the room and on the WebEx. He welcomed the Honorable Lisa T. Munyon, Circuit Judge in the Ninth Circuit, and the Honorable P. Dewitt Cason, Columbia County Clerk and former Authority Chairman, seated at the table with the board of directors.
- II. Adoption of the Agenda
Mr. Bob Inzer moved adoption of the agenda. Ms. Tara Green seconded the motion. All voted favorably.
- III. Reading and Approval of Minutes
Mr. Tim Smith recognized Ms. Green to present the August 2015 minutes. Hearing no suggested corrections or changes, Mr. Inzer moved adoption of the minutes. Mr. JD Peacock 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 August month-end statement. She commented that the year-end statement is being prepared by the external auditors. There were no questions.
- V. Progress Reports
E-Filing Authority Progress Report
Mr. Smith recognized Ms. Carolyn Weber, Portal Program Manager. She provided a review of the monthly status report for September. Ms. Weber reported that September showed about 1.1 to 1.2 million submissions for the month, representing 1.7 million

documents. She reported that during an hour one day in the reporting period there were just over 8,000 filings in that hour. She also noted that for the reporting period there were over 7,575,371 pages submitted through the portal. The number of registered filers had risen again, to 96,964. She also reported that the time it took to docket a filing had gone from less than one day to about 2 days. Mr. Smith commented that this was probably due to the budget cutbacks. Mr. Inzer and Ms. Green agreed and said it could get worse. Ms. Weber turned to a graph showing the that number of filings going into the pending queue was steady at about 2 percent, but noted what a low number that represented. Mr. Tom Hall was recognized. He shared that he had just been to the National Court Technology Conference, where, in comparison, the state of Texas represented that 8% of their filings are going to the pending queue.

Ms. Weber told the board that when the self-represented litigants were added last October, after one month there were 6,535 registered in that category. In almost one year, the number is up to 23,953 registered pro se filers. Mr. Inzer asked Ms. Weber if she would also track the number of filings in this group and present it to the board along with the regular report.

Ms. Weber reported that there would be a minor maintenance release in November and that the next upgrade would be April 2016. That upgrade would include proposed orders and e-service for judges if the board approved those two items.

She reported that currently some of the judges in the various circuits are using the portal to send proposed. In Brevard, she commented 100 percent of the judges are using the portal to send orders, single session. Ms. Green asked if any of the law firms were ready to go. Ms. Weber noted that the standards for batch civil filings we not yet complete. Ms. Sharon Bock commended Brevard County for all the judges to e-file. Judge Munyon commented that the Florida Courts Technology Commission (FCTC) had not yet taken a formal position on the issue. She felt that they were waiting for all the judicial viewers to be in place before they could mandate things be sent through the portal.

Mr. Jeff Stanford, Provost, asked for the dates of the November maintenance release and when it would be in the test region. Ms. Weber said the upgrade would be on November 20, 2015, by was not sure when the functionality would be placed in the test region.

Ms. Weber informed the board that the September upgrade, implemented September 18, 2015, went very smoothly, little to no increase in service desk calls or other issues.

Service Desk Report

Ms. Brenda Standish reviewed the service desk report for September. She reported that the calls had increased slightly from August, but in checking prior years, that tracked with normal volume patterns.

Mr. Smith thanked Judge Munyon for her support, and that of the FCTC and the courts, in allowing the Authority to increase staff on the service desk to make it more responsive.

Ms. Standish noted that the calls from pro se filers had steadily increased. Ms. Green asked about the increase in resolution time. Ms. Standish said that issues in the new release caused resolution time to be a little longer. She explained many of the calls were related to the new features in the release and how to use them.

Ms. Green commented that the ability resolve calls in a day was almost unheard of in the industry. She expressed her appreciation to Ms. Standish and her team. Mr. Smith echoed the sentiment.

VI. Florida Courts Technology Commission

Proposed Judicial Orders

Mr. Smith recognized Ms. Weber to review the survey results and the description of the potential upgrade.

Ms. Weber reviewed the letter from the FCTC to the authority asking for a concept proposal for proposed orders. In the meantime, Judge Bidwill surveyed the circuits and found that many, but not all circuits would use the new feature. Mr. Smith noted that the concept had been estimated to cost \$90,000 and is included in this year's Civitek budget.

Mr. Peacock moved approving the implementation of the concept. Ms. Bock seconded the motion. Ms. Green asked if all judges would use the feature? Judge Munyon replied that it would be up to the Supreme Court to enforce. All voted favorably.

Adding Judges to E-Service List

Ms. Weber explained the issue and that it had been discussed at the FCTC's last meeting and approved by them as a recommendation.

Mr. Jeff Smith moved revising the portal to allow for judges' email addresses to be added to the e-service lists. Ms. Green seconded the motion.

As a point of discussion, Mr. Tom Hall informed the board that the Rules of Judicial Administration Committee is also looking at this issue. He asked Ms. Weber if he was right in thinking that this would not reveal the judge's email address, but a filer would be able to add the judge by name. Ms. Weber agreed this was the convention. Judge Munyon agreed. Mr. John Tomasino commented that judges could also ask Court Administration to set up general service email addresses.

All voted favorably on the motion.

VII. Old Business

Pro Se Update

Mr. Smith recognized Ms. Sharon Bock. Ms. Bock recapped the activities that have been going on over the past year or so. She commented that it had been 16 months since the clerks had created the interview questions, and that the Judicial Management Council and various Bar committees had been reviewing the questions and resulting forms as well.

Ms. Bock told the board that all 67 Clerks have assistance for self-represented litigants and forms.

She noted that the A2J system was finished and installed the portal with September upgrade. It was not available for use, but would be turned on and ready to use as soon as the forms became approved by the Judicial Management Council and the various Bar committees. The A2J system, as recently programmed in the portal, will allow the user to save work in progress.

In Ms. Bock's review of self-represented litigants' use of the portal over the past year, she reported it had increased by 367 percent. The number one case type this user group is filing, she told the board, is foreclosure. The second highest is uncategorized circuit civil and the third most filed is in the area of contracts and indebtedness.

Ms. Bock went on to tell the board that she had recently attended the Court Technology Conference where there was discussion of the national findings that self-represented litigants are more savvy than given credit.

Ms. Bock also mentioned that she would be making a presentation at the November FCTC meeting on the efforts underway benefitting pro se filers.

She expressed a desire for assistance from the committee for a communications plan for a hard launch. She commented on an email she had received from Mr. Blan Teagle at the Florida Supreme Court and hoped the forms would be made available soon.

Ms. Rushing asked if there was a way to accelerate the process. Ms. Bock suggested that the Florida Courts Technology Conference could recommend to the Supreme Court that the bare minimum of forms be put online as a start.

Mr. Smith acknowledged that the A2J tool being developed is a positive addition to the portal. He also expressed frustration with the timeframe, but hopes there is a comfort level once it is turned on so that it can be added to more quickly. He went on to praise Ms. Sharon Bock and her passion for and leadership in this area.

Mr. Smith encouraged Judge Munyon to help with the resolution of the issue of forms and interview questions. She agreed to do so.

Hon. John Tomasino reviewed the email from Blan Teagle and shared it with the board. "I am pleased to report that we have made significant progress since the June Bar meetings. OSCA staff, the Family Law Forms Workgroup, the JMC Access Workgroup, and several Bar committees with content expertise in the various areas of substantive law have been diligently working on the project over the last few months.

We have received detailed feedback from several of the Bar groups who were tasked with reviewing the small claims and landlord tenant interviews, as well as judicial feedback from a group of county court judges, which was coordinated by Judge Robert Lee, a member of the JMC and its access workgroup.

An additional group is currently working on drafting interviews and decision logic from a couple of forms that are commonly used by tenants because this area is currently lacking in the interviews. A unifying theme from the feedback we have received is that it is very important that the product we provide is a complete packet and allows for both the plaintiff and the defendant to make use of the DIY interviews, should they choose to do so.

OSCA has also been working with the family law forms workgroup and together our forms attorney and the workgroup have drafted interview questions and decision logic for the dissolution of marriage with no property and no minor children. This packet is now complete and has been scheduled for review, pursuant to the Supreme Court's DIY Implementation Plan, by the Steering Committee on Families and Children in the Court (FCC), chaired by Justice Pariente. This FCC review is scheduled for mid-October. Once the FCC approves the interview packet for this case type, we will be able to forward to the FCCC for programming.”

Tom Hall asked if this meant it would not go to the whole court?

Mr. Tomasino responded that he was not sure it would, but if so, it should be quick.

Standardization Status Report

Mr. Smith recognized Ms. Weber who shared with the board that the request to meet a September 1 deadline to standardize divisions, case types and subtypes appeared to have been met. She noted that she is checking with all the counties by manually going onto the portal and looking at all 67 counties' drop down menus to check. The new schema, she noted, is compliant with the Supreme Courts' Summary Reporting System (SRS). She reported that the Best Practice Committee was moving forward, had phases I and II document descriptions ready, but were still working on phase III.

There was a brief discussion as to how this fit into the Justice Polston's vision of standardization.

Mr. Smith asked that the Authority make a motion to recommend use of the Best Practice Committee's list of document descriptions for implementation when the list is ready. Inzer moved that the Authority to use of the Best Practices Committee standard document descriptions as they are ready so the Ms. Weber and the portal team can move forward. Mr. Peacock seconded the motion. There was no discussion and all voted in favor of the motion.

Civil Batch Process

Mr. Smith recognized Ms. Weber to report to the board on the status of implementing the civil batch process. Ms. Weber commented that she was working on a certification process to move forward. Mr. Smith asked her to bring it to the board for approval in January.

Mr. Smith announced that the next board meeting would be held in Tallahassee on January 19, 2016, in conjunction with the FCCC Legislative Days.

Public Comment

There were no other comments.

Mr. Smith thanked Judge Munyon and Mr. Cason for attending.

VIII. Adjourn

The meeting was adjourned at 11:17 a.m.