



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors held a regular meeting on January 19, 2015, at 1:00 p.m., EST, at the Aloft Hotel, N, Monroe St., Tallahassee, Florida, and by WebEx. The following members were present: Tim Smith, Putnam County Clerk, 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; and Sharon Bock, Esq., Palm Beach County Clerk. Authority General Counsel Lynn Hoshihara, Esq., was also present. Don Barbee, Esq., Hernando County, Vice Chair, was unable to attend. A quorum was present.

- I. Mr. Tim Smith, Chair, opened the meeting at 1:09 p.m. with a roll call. He welcomed all on the WebEx.

Mr. Smith took a point of personal privilege to recognize that the Honorable Don Barbee, Clerk of Hernando County, representative of District IV, was stepping down and thanked him for his service on the Board of Directors.

He recognized that District caucus meetings would be held in February and a new Clerk would be nominated to fill the District IV opening that this created. He additionally asked for a nomination from the floor for a Vice Chairman to serve out Mr. Barbee's term, to the annual meeting in June. Mr. Jeffrey Smith volunteered to take over the job until June. Mr. Smith asked for a vote. All voted favorably.

Mr. Smith asked Ms. Beth Allman to call the roll. A quorum was present.

- II. Adoption of the Agenda
Ms. Sharon Bock, Esq., moved adoption of the agenda. Ms. Tara Green seconded the motion. All voted favorably.

- III. Minutes
Ms. Green, Secretary/Treasurer, asked if there were any questions from the October and November meetings as posted on the website. Mr. Bob Inzer moved adoption of the

minutes from the previous meetings. Mr. JD Peacock seconded the motion. All voted favorably.

IV. Financial Report

Ms. Green presented the financial report. There were no questions. Mr. Inzer moved acceptance of the financial report. Mr. Peacock seconded the motion. All voted favorably.

Ms. Green introduced Lanigan & Associates and asked them to present the audits. Auditors Mr. Mark Fletcher, Mr. David Strange and Mr. Mark Keillor presented to the board both the financial and SSAE 16 audits as clean, unqualified audits. They thanked the staff for their assistance and pronounced everything in good order.

Mr. Jeff Smith pointed out that the cost of the audit also went down; he commended the auditors and the portal staff.

Ms. Green moved to approve acceptance of both the audit reports. Ms. Bock seconded the motion. Ms. Green thanked staff for their work on the audits. All voted favorably.

V. Progress Report

E-Filing Progress Report

Mr. Tim Smith recognized Ms. Weber to give the monthly progress report. She reported that as of this month there were 103,749 registered users, a growing number. During the month of December there were 1.6 million documents filed, representing 7.3 million pages. The documents sent to the pending queue represented about 2 percent of the documents filed. Ms. Weber commented that it was not unusual to see the newer filer roles with more pending cases. She also noted that judge filings had increased. There was also an increase in the number of filings by pro se users.

Mr. Inzer suggested that if a pro se filer does not file after a period of time, perhaps their user id should be suspended. Mr. Tim Smith asked Ms. Weber to talk about this with others to see if there was any sentiment in regard to suspending credentials after a certain period of inactivity.

Mr. Jeff Stanford, Provest, was recognized. He commented that his users were having network issues. Mr. Cox asked that any issues like this be referred to him so he could better research the issues. Mr. Cox suggested that while the portal team watches the system, any network issues should be communicated to them as well. There was a brief discussion of how to coordinate reports of system issues.

Release 2016.01

Ms. Weber reported that the 2016.01 release, scheduled to be live on April 15, 2016, would be available for Clerks in the test environment by late February/beginning of March. Mr. Tom Hall remarked that he was currently on a workgroup of the Rules of Judicial Administration and Court Technology Committee to separate the rules and standards. He suggested that the wording of the certification language may need to be re-

worded. He thought something would be ready for the Florida Courts Technology Commission meeting in February.

Portal Change Advisory Board

Ms. Weber reported on issues recently having been considered by the Portal Control Advisory Board (PCAB) and asked that the issues be approved so they may be available for future releases. She clarified that none of the issues would be in the April release. Ms. Bock moved approval of the PCAB recommendations and that the issues be available for future releases as the technical team deems appropriate. Mr. Jeff Smith seconded the motion. In discussion, Ms. Green asked if a notice that the PCAB reports were available could be sent to the board so that they may have more time for review. Ms. Weber noted that this report had only been developed after a PCAB meeting the week prior to the board meeting, but agreed that could be done. All voted favorably.

Service Desk Report

Ms. Brenda Standish told the board that calls and incidents were down in December. Ms. Green noted that the Service Desk report would be good to use to show that while Clerks' caseloads may be going down, e-filing and number of documents is increasing.

VI. Florida Courts Technology Commission

Mr. Tim Smith recognized Judge Munyon. She mentioned the Florida Courts Technology Commission (FCTC) meeting scheduled for February 10-11 in Orlando.

He recognized Ms. Bock, an FCTC member on the board. Ms. Bock updated the board on several topics: first, judicial viewers—50 counties that have them and it will be a big step forward for judges and e-filing. She said 60 clerk's offices applied and were approved to enter the pilot phase for online electronic access. Fifty-eight of those counties have begun work. Thirteen have completed the 90 days of the pilot. She spoke to the retention schedule being worked on by John Tomasino and commended him for his work.

She further commented on the motion made at the last FCTC meeting, that landlord tenant, small claims and simplified dissolution DIY forms would be made available on the test site for 60 days. Then, any comments on the posted forms would be taken back to the FCTC. She lead a discussion of the process for making the forms available on the portal. Ms. Weber stated that the interviews could be moved to production as soon as all the appropriate bodies had signed off on them.

Mr. Tim Smith once ready, felt the Supreme Court would issue an order approving use of the interviews and forms.

Ms. Bock moved that once the Supreme Court issues an administrative order and technical aspect should be done, they should be moved to production. Mr. JD Peacock seconded the motion. Mr. Tim Smith opened the floor for discussion.

Judge Munyon asked if the test site was only available to users. Ms. Weber clarified that it was available to anyone who chose to set up an account and signed on. Judge Munyon said she was not aware that the forms were available to the general public. Judge Munyon noted she didn't think that process had not been approved by the Supreme Court. Ms. Bock responded that the documents could not be used outside the test site. She further clarified that the interviews are made available in the test site for review as per the FCTC motion, and are only the three forms, tenant eviction, small claims and simplified dissolution.

There was general discussion about what forms were available, the input that has been provided. Ms. Weber commented that even though there had been suggestions made for revising the forms, some of it could not be done until the newest version of A2J was implemented, which had just been done recently. Mr. Melvin Cox offered to set up a meeting with Mr. Blan Teagle, Office of the State Courts Administrator, and portal staff to discuss the status of the interview questions and resultant forms.

Mr. Tim Smith clarified the motion: that once an administrative order is approved by the Supreme Court for a document type, it will be put on the portal.

Mr. Hall asked if the JMC sent in changes, do we just make them? Mr. Tim Smith commented that once a particular document type is approved by the FCTC, then approved by the Supreme Court, it is done and we will put it on the site.

All voted favorably.

VII. Old Business

Third Party Batch Filing Process

Ms. Weber explained that she was working with a large law firm to make sure that the standards that were developed would work. She expected to be done with the standards soon and would bring them back to the Board for approval.

Policy on Collections

There was a brief discussion about the bad debt that is occurring in a small percentage of payments. Ms. Peggy Ball, FCCC, was recognized to speak on the issue. She told the board that some of the debt is caused by the bank debit block not being removed. Other debt is a timing issue. Sometimes there are timing issues. Then there is debt that is intentional. Staff consulted about this with The Florida Bar and want to be able to have a policy to assist in guiding staff in the collection efforts. Generally, collections go well, but staff needed the ability to use a collection agent in some cases. Mr. Jeff Smith suggested revising the terminology to better apply to filers who are not in law firms.

Ms. Green made a motion to adopt the policy with the changes suggested by Mr. Jeff Smith. Mr. Jeff Smith seconded the motion. All voted favorably on the motion.

Public Comment

Mr. Joel Rosenthal, JLL Processing, was recognized and expressed his concern with the process being taken for developing the civil batch filing. He asked that all third parties have an equal opportunity to help develop the process, including his firm. Mr. Tim Smith said he would work with staff to set up a comment time and make sure it is an open process. He suggested he would work with the technical staff to have sufficient comment time and that everyone would have the opportunity to review the process being developed.

Ms. Green addressed Mr. Jeff Smith's earlier about the accounts receivable. She acknowledged they were down about \$70,000 for the month of November, about 18%.

Mr. Tim Smith thanked everyone for attending and announced that the next scheduled board meeting would be the Annual Meeting, held in late June in conjunction with the FCCC Summer Conference. In the event a special meeting was needed, it would be duly noticed and held by WebEx.

VIII. Adjourn

The meeting was adjourned at 2:47 p.m.