

**FLORIDA COURTS E-FILING AUTHORITY
BOARD OF DIRECTORS
AGENDA REQUEST**

DATE: March 15, 2018
TO: Honorable Chairman Smith and Members of the Board
FROM: FCCC Staff
SUBJECT: **2018 Session Legislative Report**

STATEMENT OF ISSUE:

For the 2018 Legislative Session, of the 3,250 bills filed, only 200 bills passed. Several bills filed had an impact on the Clerk's Offices and potentially the Florida Courts E-Filing Portal:

Of those that passed, one bill directly addressed a new function of the Florida Courts E-Filing Portal. This bill was part of the Clerk's 2018 Legislative Package and was advanced an efficiency measure.

HB 1361 requires that Driver Improvement Course providers use the Florida Courts E-Filing Portal to send certificates of completion to the Clerk in the county where the violator's traffic ticket was written. The bill is effective July 1, 2019.

HB 1361 excerpt:

Section 7. Paragraph (f) of subsection (6) of section 318.1451, Florida Statutes, is amended to read:

318.1451 Driver improvement schools.—

(6) The department shall adopt rules establishing and maintaining policies and procedures to implement the requirements of this section. These policies and procedures may include, but shall not be limited to, the following:

(f) Submission of records.—The department shall require that all course providers submit course completion information to the department through the department's Driver Improvement Certificate Issuance System within 5 days. Course providers must also submit course completion information together with the citation number through the Florida Courts E-Filing Portal governed by the Florida Courts E-Filing Authority to the clerk of the circuit court of the county where the citation is issued within 3 days after receipt of the unique course completion certificate number from the Driver Improvement Certificate Issuance System. (effective 7/1/2019)

BACKGROUND AND ANALYSIS:

Currently, Driver Improvement Course providers send course completion data to the Department of Highway Safety and Motor Vehicles in order to update the driver license records. The new law will require the providers to also send the course completion data to the Clerk of the Court in the county where a ticket was written via the Florida Courts E-Filing Portal (Portal). The Clerk would

then update the docket and have proof through a secure process that the requirement to take the course was fulfilled.

Currently, it is generally the case that violators who take the driver improvement school courses and the course providers do not know the court case numbers assigned by the Clerks. However, the Florida Court Clerks & Comptrollers has several statewide databases and, as a result, has access to all ticket numbers and case numbers.

The Portal could be programmed in such a manner so as to provide the Driver Improvement Course filer a way to file the course completion document using the citation number, or other related data.

The Portal could be programmed to provide for a “role” for Driver Improvement Course Providers.

CLERK IMPACT:

From an operational standpoint, this measure may serve to assist the Clerk in that the course completion information will be filed in the case files.

FILER IMPACT:

This measure may require the Driver Improvement Course Providers to print out copies of the course completion certificates, scan them, and file them to a court case using the Portal.

FINANCIAL IMPACT:

- There would be a cost to program the Portal to provide for a “filer role” for Driver Improvement Course providers.
- There would be a cost to program the Portal in order to make available the necessary information for a Driver Improvement Course provider to be able to file the course completion to the appropriate case.

The actual costs to program are unknown at this time.

RECOMMENDATION: Staff recommends noticing board at the April meeting of the Legislative change and reviewing the issue for funding and greater detail to be reported at the 2018 Annual meeting.