



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met on April 12, 2018, at 10:00 a.m., DST, by WebEx. The Honorable Tim Smith, Putnam County Clerk, Chair; The Honorable Tara Green, Clay County Clerk, Secretary/Treasurer; The Honorable John Tomasino, Supreme Court Clerk; The Honorable JD Peacock, Okaloosa County Clerk; The Honorable Kathy Brown, Liberty County Clerk; The Honorable Karen E. Rushing, Sarasota County Clerk; and The Honorable Sharon R. Bock, Esq., Palm Beach County Clerk; were present. Ms. Lynn Hoshihara, Esq., Authority General Counsel, was also in attendance. The Honorable Jeff Smith, Indian River County Clerk, Vice Chair, and The Honorable Todd Newton, Gilchrist County Clerk, were unable to attend. A quorum was present.

I. Introduction and Roll Call

The Honorable Tim Smith, Chair, opened the meeting at 10:00 a.m. He welcomed everyone in the room and attending by WebEx.

Chairman Tim Smith asked for a roll call. All members were present.

II. Adoption of the Agenda

Chairman Tim Smith asked for a motion to adopt the agenda.

MOTION: The Honorable John Tomasino moved adoption of the agenda. The Honorable Tara Green, Secretary/Treasurer, seconded the motion. All voted to accept the agenda as presented.

III. Reading and Approval of the Minutes

Chairman Tim Smith recognized The Honorable Tara Green, Secretary/Treasurer, to present the February 2018 minutes.

MOTION: The Honorable Tara Green, Secretary/Treasurer, asked for a motion to adopt the minutes as posted on the website. The Honorable Sharon R. Bock made a motion that the Policy for Website Linking from the February meeting to be spread upon the minutes verbatim and all motions and actions highlighted in the printed version. The Honorable JD Peacock seconded the motion. All voted favorably.

IV. Financial Report

Chairman Tim Smith recognized Clerk Green to present the February 2018 financial statements. She presented that assets at the end of February stood at \$2.7M, \$2.2M in cash and \$ 0.5M in accounts receivable and \$6K in prepaid expenses. Liabilities stood at \$ 0.5M. This figure represented \$ 0.5M in accounts payable and \$6K in accrued annual audit fees. Equity stood at \$2.2M.

The Honorable Tara Green noted that FCCC expenses were billed at the end of the month and would be reflected in the next month's financial statement.

There were no questions or comments about the report.

The Honorable Tara Green reminded the Board that she and staff had formed a work group and were actively exploring funding options and developing possible ways to fund the anticipated budget shortfall and were still on track to present options to the Board at the annual meeting in June.

V. Progress Reports

E-Filing Portal Progress Report

The Honorable Tim Smith, Chairman, recognized Ms. Carolyn Weber, Portal Project Manager, to review the March 2018 status report. Ms. Weber reported that Portal activity for March 2018 showed some of the highest volumes to date, with 63,134 submissions in one week-day, with a total of 1.4 million submissions in the month, representing over 2 million documents for the month, and equaling 9.5 million pages. She reported that overall, it was still taking just over a day to docket a filing, at 1.3 days to docket. The top filer role at 78,736 registered users is still the attorney filer at 87% of the filings. While there are 97,198 registered self-represented litigants, the activity associated with those accounts only constitutes less than one percent. The number of judges using the portal continues to grow across the circuits.

Mr. Tim Hall suggested the Board send the statistics about judges using the Portal to the Supreme Court as the Court was currently looking into this aspect.

Ms. Weber informed the board that the virus-scanning implemented at the beginning of March went smoothly and filing appeared to continue as smoothly as ever, that the Service Desk had no calls about it.

Service Desk Report

Ms. Brenda Standish, FCCC Service Center Manager, was recognized to present the service desk report. She reported to the Board that calls during the month of March were up but were being worked in a timely manner. She noted that this year's number of calls was very close to the totals for March of 2017.

VI. Florida Courts Technology Commission (FCTC

PDF/A Update

The Honorable Tim Smith, Chairman, reminded the Board that Mr. Melvin Cox, FCCC Director of Information Technology, had provided background on the issue of receiving documents in PDF/A format at the last meeting. He noted that Mr. Cox had spoken of two distinct components of the changes required of the Portal: 1) Education—this phase would require the Portal to be programmed so it can determine if the document is already in PDF/A or not. There would also be a message provided to the filer telling them their document was not in PDF/A and perhaps include a hyperlink with instructions for converting the document; 2) Programming -- the Portal would be programmed to convert the incoming document to PDF/A for those Clerks who could accept it in that format. He noted that staff had presented the Board and the FCTC a Change Order to this effect. Clerk Smith noted that this had not yet become a standard, but are monitoring it. He also asked that the funding for the change order be considered in the work of the Clerk Green's Funding workgroup.

The Honorable Karen Rushing informed the Board that the FCTC has re-energized their interest in wanting to have standards for the Clerks' Case Maintenance systems. She reported that she would keep the Board apprised. She commented this could drive up Clerk's costs.

The Honorable Tim Smith, Chairman, recognized the Honorable John Tomasino who informed the Board that the next FCTC meeting was scheduled for May 9-11 in Orlando. There were no other comments from FCTC members.

VII. New Business

Legislative Report

The Honorable Tim Smith, Chairman, recognized Ms. Beth Allman, Authority Administrator, to brief the Board on legislation that passed noting use of the Portal. She presented documentation on HB 1361, effective July 1, 2019, which 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 report was informational and no action by the Board was requested.

Mr. Smith noted the potential financial impact of this legislation and asked that the funding group make sure to take this potential project into account as they prepare their report.

Portal Security

The Honorable Tim Smith, Chairman, recognized Ms. Carolyn Weber to provide an update to the Board on the issues delineated in the Florida Bar News March 1, 2018, article regarding security aspects of the Portal. She commented that they found that law firm administrators were filing on behalf of attorneys. She noted that once the activity was discovered, it was blocked. Now all activities by those filing on behalf of lawyers would need to have a Florida Bar ID in order to file. She also commented that the Service

Center was instituting a process whereby filers setting up second accounts would be contacted to make sure it is not a fraudulent account.

VIII. Old Business

None to report.

IX. General Counsel Report

The Honorable Tim Smith, Chairman, recognized Ms. Lynn Hoshihara, Esq., to provide a General Counsel Report.

Policy on Internet Version Support

Ms. Hoshihara explained that the Policy on Internet Browser Version Control was drafted in response to the report by Mrs. Carolyn Weber, the Portal Program Manager, at the last meeting about Microsoft no longer supporting certain versions of Internet Explorer browsers, some not since January 2016. The policy would allow the Portal to discontinue supporting a browser version six (6) months upon the vendor de-supporting such browser.

The Honorable Tara Green made a motion to adopt the Policy on Internet Browser Version Support as presented. The Honorable JD Peacock seconded the motion. All voted favorably.

Vetting of Third Party Vendors

Ms. Hoshihara explained that the Policy on Third Party Vendor Qualification was drafted in response to questions by the Honorable Jeff Smith at a previous meeting asking about this issue. She presented a Third Party Vendor Qualification form to be used to gather information about businesses wishing to provide batch services through the Portal. Chairman Smith asked there was any timeframe in which the applicant should update their information.

MOTION: The Honorable Tara Green made a motion to adopt the Policy on Third Party Vendor Qualification as presented. The Honorable JD Peacock seconded the motion.

Mr. Dario Diaz, eFileMadeEasy, was recognized to address the Board. He asked the Board if those entities certified to use the Portal for batch services were required to be actively filing through the Portal in order to remain certified. Ms. Weber felt that there was additional work done right before a vendor begins filing that would require them to make sure they are updated. The Honorable Tim Smith, Chairman, asked Ms. Weber to monitor the issue.

All voted in favorably for the motion.

X. Public Comment

None noted.

XI. Adjourn

Mr. Smith thanked everyone for attending and reminded the board that the next meeting was scheduled to be held on June 26, 2018, from 10:00 a.m. – 12:00 p.m., DST, in conjunction with the FCCC Summer Conference in Palm Beach and by WebEx.

The meeting was adjourned at 11:00 a.m., EST.