



## The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met on June 13, 2017, at 10:20 p.m. at the Sheraton Bay Point Resort, Panama City Beach, Florida. The following members were present: The Honorable Tim Smith, Putnam County Clerk, Chair; The Honorable Tara Green, Clay County Clerk, Secretary/Treasurer; The Honorable John Tomasino, Clerk, Supreme Court, by WebEx; The Honorable JD Peacock, Okaloosa County Clerk; The Honorable Kathy Brown, Liberty County Clerk; The Honorable Todd Newton, Gilchrist County Clerk, The Honorable Sharon R. Bock, Esq., Palm Beach County Clerk; The Honorable Karen E. Rushing, Sarasota County Clerk; and Lynn Hoshihara, Esq., Authority General Counsel, were in attendance. The Honorable Jeff Smith, Indian River County Clerk, Vice Chair, was unable to attend. A quorum was present.

- I. The Honorable Tim Smith, Chair, opened the Annual meeting at 10:25 a.m. He welcomed those on the WebEx and those in the room.

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. Clerk Sharon Bock moved adoption of the agenda. Clerk Todd Newton seconded the motion. All voted to accept the agenda as presented.

### Annual Authority Meeting

#### Review of Annual Authority Activities

- III. Chairman Tim Smith opened the Annual meeting of the Authority and provided an overview of the year's activities. (Chairman Tim Smith's remarks are attached at the end of these minutes.)

- IV. Election of the Vice Chair and Secretary/Treasurer

Chairman Tim Smith recognized several members of the board who had served since the Authority began in 2010 and thanked them for their service to the Board of Directors.

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The Chairman thanked Clerk Jeff Smith, who was not present, for his service as Vice Chair over the past year.

Chairman Tim Smith moved into the election of the Vice Chair and Secretary/Treasurer. Chairman Tim Smith explained that while Clerk Jeff Smith, was not able to attend the meeting, he had expressed his desire to stay on the board as the Vice Chairman. Clerk Kathy Brown nominated Clerk Jeff Smith as Vice Chair for the next year. Clerk Bock seconded the nomination and all voted favorably.

Mr. Tim Smith thanked Clerk Green for her service the past year as Secretary/Treasurer and asked for nominations from the floor for that position. Clerk John Tomasino nominated Clerk Green to serve as the Secretary/Treasurer. Clerk Bock seconded the motion and all voted favorably.

Chairman Tim Smith then concluded the Annual Meeting and opened the Annual Meeting of the Board.

### **Annual Meeting of the Board**

#### **V. Reading and Approval of the Minutes**

Clerk Tim Smith recognized Clerk Green to present the April 2017 minutes. Hearing no suggested changes, Clerk Green moved adoption of the minutes as posted on the website. Clerk JD Peacock seconded the motion. All voted favorably.

#### **VI. Treasurer's Report**

##### **Review of the Monthly Financial Report**

Chairman Tim Smith recognized Clerk Green to present the April financial statements. She presented that assets at the end of April stood at \$2.1M, \$1.6M in cash and \$ 0.5 M in accounts receivable. Liabilities stood at \$ 0.5M. This figure represented \$ 0.5 M in accounts payable. Equity stood at \$1.6 M.

Through the month of April 2017, she told the board that total revenues were \$ 4.8M and total expenses were \$3.6 M. The change in net assets year-to-date was \$ 1.2 M.

##### **Approval of the 2017-2108 Budget**

Chairman Tim Smith recognized Clerk Green to present the budget, noting that the Authority was required to pass an annual budget at this meeting. Clerk Green reminded the board that at the June 2016 meeting the board approved a budget that included slightly increased transaction fees. She noted that there had been no adverse reaction from users.

Clerk Green reviewed the proposed 2017-2018 Authority budget. On the screen was also the projected 2018-2019 budget. She commented that the budget was a self-sustaining model for the two years, but projections for that 18-19 fiscal year show the budget

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without the in-kind contribution from the Association and the beginning of a deficit. She further illustrated it by showing a 5-year projection of revenues vs. expenditures. Mr. Tim Smith recognized Ms. Rose Blaha, St. Lucie County Clerk's Office and head of

Clerk Green asked the board's approval to look at creative ways to continue to support the growth. Ms. Peggy Ball remarked that she was looking to partner with the National Center for State Courts to look at funding trends so that by mid-year, the board could begin budget discussions.

Clerk Bock asked for a communications piece for the Florida Courts Technology Commission's August meeting, showing them the costs and the benefits of e-filing.

Clerk Green spoke to wanting to quantify the costs and develop a 5-year trend for maintenance and enhancements, with the goal of achieving a sustainable model.

Clerk Green moved adoption of the 2017-2018 budget as shown. Clerk Bock seconded the motion. Chairman Smith asked that the Scope of Work and Expansion Beyond Scope of Work categories be broken out more distinctly. There was brief discussion, the board members asking that the budget be shown in more detail.

All voted favorably to adopt the 2017-2018 budget.

#### **Approval to Expend Funds for the Annual Audit**

Clerk Green moved to approve to expend funds for the 2016-2017 annual audit. Clerk Newton seconded the motion. Chairman Smith asked Ms. Lynn Hoshihara, Authority General Counsel, to speak to an audit policy. Chairman Smith suggested that it be brought back to the board at the next meeting. Ms. Hoshihara also spoke to drafting an RFP for audit services. All voted favorably.

Chairman Smith named Clerk Peacock, Clerk Jeff Smith and Clerk Green to form an Audit Selection and Evaluation Committee. He asked Ms. Hoshihara to assist with that committee.

## **VII. Progress Reports**

### **E-Portal Progress Report**

Mr. Smith recognized Ms. Carolyn Weber, Portal Project Manager, to review the May status report. Ms. Weber reported that there were 1.9 million filings, representing 1.3 million documents for the month, and 8.7 million pages. Throughout the year, it has been the same—taking slightly less than one day to docket a filing and the number of filings going to the pending queue is less than a day, at .8% of a day. Only 1.69% of filings are being returned to the correction queue. Over 40,000 judicial orders were sent through the portal in May.

There was a discussion about the initiative to send documents to the Department of Corrections (DOC) through the portal. Ms. Weber told the board that staff was meeting

with the DOC and that capability for the commitment package submissions would be in the 2017.02 Release, scheduled for October 20, 2017, if approved by the board. She reported that DOC was going to take a phased-in approach so they could better handle the work flow changes. Mr. Tom Hall commented that the Florida Courts Technology Commission is also working with DOC to potentially allow inmates to e-file post-conviction motions through the portal. He saw this as a follow-on activity after the project to send the commitment packages is done.

There was a discussion about judges using the portal, the judicial viewers, and the sign and file feature.

#### FCCC Change Advisory Board Report:

Chairman Tim Smith recognized Ms. Weber to present the Change Advisory Board Report to the Board. She explained that the issues on the report presented to the board were enhancements to portal functionality as suggested by users.

Ticket #	Description	Complexity	Scope	CAB Recommendation
<a href="#">953081</a>	Request additional fields on the Associated Participant Roles tab to allow for the last 4 digits	High	Local Review	1 - High
<a href="#">968797</a>	Can the status programmatically be changed to Correction Queue or Abandoned Filing Queue	Medium	Portal Review	1 - High
<a href="#">969402</a>	Remove the page number of documents uploaded as a required field	Medium	Filer's Interface	3 - Medium
<a href="#">969591</a>	Need a new filer role of Court Monitor	Low	Filer's Interface	1 - High
<a href="#">989655</a>	To Judicial Review add the ability to add County specific News & Information	Medium	Filer's Interface	4 - Low
<a href="#">989829</a>	Add more information to the email sent to the judiciary when receiving proposed orders	Medium	Portal Review	3 - Medium

There was a motion by Clerk Kathy Brown to adopt the list and move it forward. Clerk Rushing seconded the motion. All voted favorably.

#### 2017.02 Release

Ms. Weber noted that the upgrade would take place October 20, 2017, but there were only a few items in the release to allow more time dedicated to third party vendor implementation. The items considered are as follows.

## Release 2017.02

HEAT#	DESCRIPTION	SCOPE
<a href="#">715400</a>	Inactivate a Pro Se filer for one case only	Filer Interface
<a href="#">735664</a>	Allow the FL Bar Number association between a Judge and JA to be changed	Filer Interface
857294	Integrate with DOC to save documents to their imaging system	Portal Review
<a href="#">871029</a>	Add 'Favorites' to the E-service List for a filer	Filer Interface
<a href="#">938543</a>	Create a service for Clerks/Judges to query to display NEF sent on a submission	Filer Interface

A motion was made by Clerk Peacock to approve the list of programming changes to the portal. Clerk Brown seconded the motion. All voted favorable on the motion.

### Service Desk Report:

Ms. Gia Howell, Portal Service Desk Supervisor, was recognized to present the service desk report. She reported to the board that the customer service calls increased slightly the past month taking slightly longer to resolve. Technical calls were increased as well but resolution time was about the same. She reported that most of the questions from month to month were about account set-up, e-service and other general case questions. She commented that the service desk team had made a site visit to Dixie County to assist with portal processing. Other site visits are planned. There were no questions.

### Status Report on Third Party Batch Filing

Ms. Weber was recognized to present the report on the status of the third party batch filing project. She told the board that the project was moving right along; JIL was finished with testing and ready to move forward with filing in the civil court area through the portal.

Ms. Weber gave a status of each vendor's progress, commenting that another law firm has applied to offer the service. She noted that E-File Made Easy was certified at the last meeting for filing in the Civil Division; portal staff is now requesting that they receive certification in the Circuit Criminal, Criminal Traffic, Juvenile Delinquency and Dependency divisions. All the testing in those areas has been successfully completed. It was clarified that they could move forward without board action.

## **VIII. Florida Courts Technology Commission**

It was noted that the next Florida Courts Technology Commission (FCTC) meeting will be held August 2-3, 2017, in Tallahassee. Clerk Rushing expressed concerns that the appellate court was moving away from the e-portal and the conversations about PDF-A issue that is coming up again at FCTC. She noted the financial impact the conversion will have on Clerk's Offices. Mr. Hall commented that he had it on good authority that the Supreme Court will be moving forward on the issue.

## **IX. New Business**

No new business was brought before the board at this time.

**X. Old Business**

Clerk Bock was recognized to present a report on the work the FCCC Self Help/Pro Se Committee was doing. She spoke about the pro se survey created by the Commission for Access to Civil Justice and her committee's work in reviewing, shortening and piloting the revised survey in Lee, Pinellas and Palm Beach counties.

Clerk Bock also mentioned the letter for the Judicial Management Council in regard to the DIY forms. She commented on the major amount of work having been done already on those forms as developed for use in the E-Filing Portal. She communicated the committee motion for resources to continue to be placed in support of this project.

Chairman Smith felt it was reasonable to assign resources to this project if timelines were established for to the project, and if there was Board of Directors approval.

**XI. General Counsel Report**

Ms. Hoshihara had nothing further.

**Public Comment**

There were no public comments. Clerk Peacock commended staff for all the activities they undertake to make this a successful project. Chairman Smith echoed the sentiments.

**XII. Adjourn**

Mr. Smith thanked everyone for attending.

The meeting was adjourned at 11:48 a.m.

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**Annual Report of the Florida Courts E-Filing Authority to the  
Membership  
June 2017**

I welcome you all to the Annual meeting of the Florida Courts E-Filing Authority.

I have been privileged to give this annual report to you over the past several years.

All 67 Clerks of the Circuit Court and the Clerk of the Supreme Court are members of this interlocal agency and I would like let you know how we are doing.

The Florida Courts E-Filing Portal is a great success. The services offered to filers saves them untolled thousands of dollars—dollars spent on paper, printing, postage, runners, and many other services.

While this may not mean as much in savings to your offices, it means a lot to the users of the court system and to your constituents.

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During this year we have seen continued growth, growth that wouldn't be possible if we didn't have a strong, stable e-filing portal and the staff to support it.

Let me put it in perspective.

At this point last year, there were about 116,000 registered users. Today we have 151,000—74,000 attorneys, close to 66,000 Pro Se Filers and close to 1,000 Judges.

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Over the past year we have seen a month-to-month average of 1.1 to 1.3 Million filings a month, with a high of 64,000 filings during one weekday. This represents well over 1.7 to 1.8 Million documents monthly.

One day during this program year, there were over 8,400 filings during one hour.

The portal processes 8-9 million pages a month.

All of these numbers continue to grow.

Think about what that means to your offices – how much different it would be if those documents were still being filed in paper.

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On the business side:

- We are looking at adding Visa to help increase growth and benefit our users.
- Lanigan & Associates, the Authority auditors, once again, the Authority received unqualified, or “clean,” audits.
- We ably handle thousands of calls monthly from Clerks, judges, pro se filers, lawyers and law firms, and many other users.

We have made great strides in working with third party vendors to be able to offer bulk filing for non-criminal case types.

Hundreds of judges use the portal for filing orders in cases.

We added transmission of case-related documents to the Department of Health to provide your office efficiencies and cost-savings.



We are working with the Department of Corrections so that the commitment paperwork can be sent through the portal.

We continue to brainstorm how the portal can be used to everyone's benefit.

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You are the members of this Interlocal government and should be proud of your board of Directors, but moreover, proud that the staff of this agency and its partners, all Clerks' Offices, the Association and the Courts, who make this happen on your behalf.

Thanks to all of us working together, the Florida Courts E-Filing Portal is considered a nationally recognized, premier e-filing system .

I thank you for your support and thank you for attending.

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