



The Florida Courts E-Filing Authority Minutes

Florida Courts E-Filing Authority Board of Directors met on June 25, 2019, at 10:20 a.m., EDT, at the Omni Resort at Championsgate, Orlando, Florida, and by WebEx. The following board members were present:

- ✓ The Honorable Tim Smith, Putnam County Clerk, Chair
- ✓ The Honorable Jeff Smith, Indian River County Clerk, Vice Chair
- ✓ The Honorable Tara Green, Clay County Clerk, Secretary/Treasurer
- ✓ The Honorable John Tomasino, Clerk, Supreme Court (by WebEx)
- X The Honorable JD Peacock, Okaloosa County Clerk
- ✓ The Honorable Billy Washington, Madison County Clerk
- ✓ The Honorable Todd Newton, Gilchrist County Clerk
- ✓ The Honorable Karen E. Rushing, Sarasota County Clerk
- ✓ The Honorable Sharon R. Bock, Esq., Palm Beach County Clerk

Ms. Lynn Hoshihara, Esq., Authority General Counsel, was also in attendance. Newly appointed District II Board Member for the 2019-2020 program year the Honorable Steve Land, Lafayette County Clerk, joined the board at the table for the meeting.

I. The Honorable Tim Smith, Chair, opened the meeting at 10:25 a.m., EDT. He welcomed those in the room and those participating by WebEx. Chairman Smith asked for a roll call. A quorum was present.

II. **Adoption of the Agenda**

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

The Honorable Todd Newton moved adoption of the agenda. The Honorable Sharon Bock 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 Smith's remarks are attached at the end of these minutes.)

IV. Election of the Vice Chair and Secretary/Treasurer

Chairman Tim Smith recognized the Honorable Steve Land, Lafayette County Clerk, as the newly appointed Board Member from District II. Chairman Smith thanked the Honorable Billy Washington for his service the past year. He also recognized those several members of the Board of Directors who had served since the Authority began in 2010 and thanked them for their service.

Chairman Tim Smith moved into the election of the Vice Chair and Secretary/Treasurer. Chairman Smith thanked the Honorable Jeff Smith for serving as the vice chair this past year.

The Honorable Sharon Bock moved to nominate the Honorable Jeff Smith as Vice Chair for the 2019-2020 program year. The Honorable Tara Green seconded the nomination and all voted favorably.

Chairman Smith thanked the Honorable Tara Green for her service the past year as Secretary/Treasurer and asked for nominations from the floor for that position.

The Honorable Jeff Smith moved to nominate the Honorable Tara Green to serve as the Secretary/Treasurer. The Honorable Sharon 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

Chairman Smith recognized the Honorable Tara Green to present the April 2019 minutes.

Hearing no suggested changes, the Honorable Tara Green moved adoption of the minutes as posted on the website. The Honorable Billy Washington seconded the motion. All voted favorably.

VI. Treasurer's Report

Review of the Monthly Financial Report

Chairman Smith recognized the Honorable Tara Green to present the April 2019 financial statements. She reported assets at the end of April stood at \$4.3M, \$3.6M in cash and \$676,000 in accounts receivable and \$5,000 in prepaid expenses. Liabilities stood at \$769,000. Equity stood at \$3.5 M.

Through the month of April 2019, she reported total revenues at \$6.2 M and total expenses were \$5.1 M. The change in net assets year-to-date was \$ 1.1 M.

The Honorable Tara Green reminded the board that Purvis Gray & Co. was awarded the contract for audit services last year and would be starting their review in the next few months.

Funding Workgroup Report

Chairman Smith recognized the Honorable Tara Green, chair of the Funding Work Group, to provide an update on the Funding Work Group, comprised of Ms. Hoshihara and staff. The Honorable Tara Green provided a written report to the board and reported that the work group continued their work over the course of the 2018-2019 program year in reviewing how to address the need for long-term financial stability. As part of that discussion, the work group prioritized two main tasks:

- Revising the Interlocal Agreement, and
- Working with the incoming Florida Bar President to establish a focus group made up of Bar members from various practice areas to identify value added services.

After these tasks are complete, she reported that the funding work group will focus on developing a funding model for the value-added services, deciding how the activity should be reflected in any contracts and agreements.

The Honorable Tara Green commented that in working with FCCC Chief Financial Officer, Brian Machek, the policies on investments and reserves were provided to the Board and would be brought back at a later date for more formal consideration. She commented that she would like to have the draft Interlocal Agreement to consider at the August meeting.

VII. Progress Reports

E-Portal Progress Report

Chairman Smith recognized Ms. Carolyn Weber, FCCC Portal Project Manager, to review the May 2019 status report and describe the variety of users, and document format submission. He explained to the Board that Ms. Weber and Ms. Gia Howell, were attending the Florida Bar Convention this week.

Ms. Weber reported that in the month of May 2019 there were 1.6 million filings, making it the highest month to date, representing 2.3 million documents for the month, and 11.4 million pages. She commented that the filing volumes for the e-filing partner agencies was growing also. There was a brief discussion about sending commitment packets to the Department of Corrections through the portal. There was a discussion about converting documents to PDF/A, the submissions in this format are growing.

Ms. Weber commented about functionality of the Portal that users were not aware of. She was asked to send out the NEF advisory again.

Release Updates

Chairman Tim Smith recognized Ms. Weber to update the Board on the 2019.01 just implemented and the status of accepting the driver school completion certificates. Ms. Weber explained that the 2019.01 release went well, that accepting the driver school completion certificates would be phased-in over the next month to establish a successful process flow. She noted a maintenance release would be performed during the first weekend in August and the next release, 2019.02, was scheduled for the end of October/early November timeframe.

Service Desk Report

Ms. Gia Howell, Portal Service Desk Supervisor, was recognized to present the service desk report statistics. She pointed out that the resolution times did increase this month due to the new “live answer” activities instituted by the Service Desk. There were a few questions related to the report and staffing levels. Ms. Howell assured that the Service Desk was still operating within the service levels.

VIII. Florida Courts Technology Commission

It was noted that the next Florida Courts Technology Commission (FCTC) meeting would be held August 8-9, 2019, in Naples. There was discussion about the annual statistics and cost savings.

The Chair asked Ms. Weber and Mr. Melvin Cox to explain how the numbers are developed for the annual statistics at the next meeting and the desire to use the numbers for a public relations effort. There was discussion about creating communications pieces about the services offered by the Portal for local presentations.

The Honorable Sharon Bock suggested discussing a communications effort at the next meeting.

AOSC19-23 PDF/A

Mr. Melvin Cox was recognized to explain to the Board the implications of the new Supreme Court administrative order requiring filers to use PDF/A format. He reminded the Board that the two-year timeframe for accepting PDF/A would begin.

Chairman Smith recognized Mr. Hall to brief the Board on the status of the Joint FCTC/RJAC Committee on Rule 2.420. He commented that the Joint Committee would be making a report at the full Rules of Judicial Administration Committee on Friday at The Florida Bar Conference.

IX. New Business

Civil Cover Sheet

In reference to the email and letter received by Chairman Smith from the Civil Rules Committee, the Chairman recognized Mr. Hampton Peterson, Esq., Palm Beach Clerk's

Attorney and Clerk Liaison to the Civil Rules Committee, to explain the rule revisions the Authority was asked to review. Mr. Peterson reported that the committee has provide a draft rule that removes the checklists dealing with the value of the real property and mortgage foreclosure actions filed, created a free-text box to capture the amount of the claim, and created a county civil cover sheet. Mr. Peterson noted that the committee recognized the Portal would need programming in order to accommodate the changes. Mr. Peterson commented that he could report concerns back to the committee when they met Thursday. Ms. Weber responded that it could be added into a release, if she had a timeline. Mr. Peterson responded that the final report was due August 31.

There was a brief discussion of the technical requirements for assessing the correct fee when filing a real property action.

The Honorable John Tomasino noted that the final date of implementation would be January 1, 2020. Ms. Weber agreed she could include any revisions needed in the 2019.02 Release.

Chairman Smith asked Mr. Peterson to report to the committee that the changes to the Portal required by the proposed revisions could be accommodated. The Chairman also commented that would also respond to Mr. Chamorro noting the same.

X. Old Business

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

XI. General Counsel Report

Ms. Hoshihara reported on the 4th DCA case which determined that the Clerk of the Circuit Court must file an appellate case with or without the filing fee. She noted this would require the Portal to allow for an appellate filing without payment of a fee.

Ms. Hoshihara also commented that the DIY Functionality Process Work Group was currently in the process of reviewing a policy outline and she was hopeful that it could be brought back to the board at a future meeting.

Public Comment

There were no public comments.

XII. Adjourn

Mr. Smith thanked everyone for attending.

The meeting was adjourned at 11:35 a.m.

**Annual Report of the Florida Courts E-Filing Authority to the Membership
June 25, 2019**

Welcome!

I am glad to see the members of the E-Filing Authority, Florida’s Clerks, and the Clerk’s staff, and others who have joined us.

Welcome to our Annual meeting.

We have had a very busy year and I am so proud!

When we envisioned the Portal in 2010, we never anticipated even half the volumes we now see.

It astounds me that every month--the number of filers and the number of documents continue to increase!

We can boast that we have linked all of the courts in the 20 judicial circuits, the 5 District Courts of Appeal and the Supreme Court – all through the Portal.

I believe we are the first state in the nation to be truly, and completely, integrated to where someone can file in any of our State’s Courts.

We are hard at work –

We have a Funding Work Group that is working to find innovative ways to best sustain our operations into the future.

To continue to address the needs of our users, the E-Filing Authority Board of Directors, along with the Portal Technical team, made the e-filing portal easier to use over this past program year:

- The Authority put in place efficiencies specifically for Clerk case processing.
- The Authority put in place efficiencies specifically for Filers.
- The Authority continued to add to our ability to securely transmitting information between the Portal and State Agencies.
- This year, our Portal Service Desk implemented “live answering” calls for the first time since we started.
- Educating filers is a key component to our success -- the Portal Team and Service Desk Supervisors will be at the Florida Bar conference at the end of this week.

And, let me not forget to mention that the Authority once again received “clean,” or unqualified audits for our operations, a testimony to our fair and accountable business standards.

No other state has the governance structure we have. It is unique, but shows that when we work together, when we believe in and work toward a common goal, we can build a better mousetrap!

Our governance is framed and organized by our partnerships. And you are all part of that partnership – from the Clerks and staff who are here, to the staff back at your offices, the association staff, the Courts and, of course, the thousands of file rs.

So, please let me thank you all for the support you provide every day and the work you each put into making the Florida Courts E-Filing Portal the success that it is.

Thank you for attending and thank you for listening to this report of our successful year.