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Reply to Tallahassee

April 1, 2016

Via Electronic Mail

Florida Courts E-Filing Authority
P.O. Box 180519
Tallahassee, Florida 32318

Re: Retention Schedule - Electronic Status Notifications

Dear Authority Board Members:

Our Firm has been requested to provide an opinion as to whether certain notifications generated and sent through the E-Filing Court Records Portal (the “E-Portal”) may be disposed of by the Florida Courts E-Filing Authority (the “Authority”).

The records in question are notifications, which inform the filer of the following actions: 1) filing received; 2) filing moved to queue; 3) corrected filing received; 4) processing completed; 5) filing filed for judicial review; 6) filing received – Court; and 7) filing removed from pending queue (collectively referred to as “Electronic Status Notifications”). The retention periods applicable to Authority records are governed by: 1) General Records Schedule for State and Local Government Agencies, established by the Department of State; 2) Rules of Judicial Administration; or 3) Judicial Branch Records Retention Schedule, approved by the Supreme Court.

The html file created to retain the information from the Electronic Status Notifications falls into the category of “Correspondence & Memoranda: Administrative” under each of the retention schedules above and therefore must only be retained for three (3) years. Accordingly, it is our opinion that Electronic Status Notifications sent on or before January 1, 2013, may be disposed of in accordance with the guidelines established by the Department of State.

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Additionally, we have consulted with General Counsel of the Office of the State Courts Administrator and he has no objections to applying the 3-year retention period to Electronic Status Notifications. Should you need any additional information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Lynn M. Hoshihara