



## **The Florida Courts E-Filing Authority Minutes**

Florida Courts E-Filing Authority Board of Directors met on April 20, 2017, at 10:00 a.m. EDT by WebEx. The following members were present: Honorable Tim Smith, Putnam County Clerk, Chair; Honorable Jeff Smith, Indian River County Clerk, Vice Chair; Honorable Kathy Brown, Liberty County Clerk; Honorable Todd Newton, Gilchrist County Clerk; Honorable Karen E. Rushing, Sarasota County Clerk; Honorable Sharon R. Bock, Esq., Palm Beach County Clerk; Honorable JD Peacock, Okaloosa County Clerk; Honorable John Tomasino, Clerk, Supreme Court; and Lynn Hoshihara, Esq., Authority General Counsel, were present. The Honorable Tara Green, Clay County Clerk, Secretary/Treasurer, was unable to attend..

The Honorable Tim Smith, Chair, opened the meeting at 10:00 a.m. EDT. He welcomed those on the WebEx.

Chairman Smith asked for a roll call. A quorum was present.

### Adoption of the Agenda

Chairman Smith asked for a motion to adopt the agenda. The Honorable John Tomasino moved adoption of the agenda. The Honorable JD Peacock seconded the motion. All voted to accept the agenda as presented.

### Reading and Approval of Minutes

Chairman Smith recognized the Honorable Jeff Smith to present the February 2017 minutes as posted on the website. Hearing no suggested changes, the Honorable Jeff Smith moved adoption of the minutes. The Honorable Karen Rushing seconded the motion. All voted favorably.

### Financial Report

Chairman Smith recognized Ms. Peggy Ball, FCCC Director of Management Services, to present the February 2017 financial report. She remarked that the Civitek quarterly billings were not yet reflected in the monthly financial statements. There were no questions.

Mr. Peacock moved to accept the financial report as presented. Ms. Rushing seconded the motion. All voted favorably on the motion.

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### Discussion of Auditor Selection

Chairman Smith recognized Ms. Peggy Ball to discuss with the board the audit activities as required by the Interlocal Agreement. Ms. Ball noted that annually there were two audits performed, an SSAE operational audit and a financial audit. Both audits had recently concluded and the contract was up for renewal or re-bid. She made a staff recommendation to issue an RFP, one for each audit, to try to get the best market rate for the audits. She also asked the board's approval to allow staff to work with Ms. Lynn Hoshihara, Esq., Authority General Counsel, to develop an audit policy to set out the timeframe for the RFP and to develop the RFP's. Chairman Smith recognized Ms. Hoshihara, who concurred with Ms. Ball's recommendations.

Mr. Jeff Smith commented that it made sense and was in line with the activities of Civitek, FCCC and the Florida Trust. He made a motion to allow counsel and staff to prepare an RFP or two for audit services as required in the Interlocal Agreement. Ms. Rushing seconded the motion. All voted favorably.

Chairman Smith asked Ms. Hoshihara to prepare an audit policy for adoption at the next meeting.

### Progress Report

#### E-Filing Progress Report

Chairman Smith recognized Ms. Carolyn Weber, FCCC Portal Program Manager, to review the March 2017 Progress Report. Ms. Weber reported that the filing numbers were growing, now at just over 2 million documents a month – a new high for portal volume. That number of documents represented over 9 million pages. The number of registered users had also increased to 148,032.

Ms. Weber commented that the number of self-represented litigant accounts and filings were growing. She also noted that there is increased usage of the portal by judges, through the judicial viewers and single session filings

Chairman Smith reflected on the positive progress made over the past few years.

#### Release 2017.01

Ms. Weber reported that release 2017.01 is still on target for installation on April 28, 2017. One of the aspects of this release, she explained, was to add e-service so the Public Defenders and State Attorneys can use the portal for service. Also, she noted, there will be functionality in this release to allow Clerks to send documents to the Florida Department of Health, Bureau of Vital Statistics. Additionally, the 2<sup>nd</sup> DCA will be removed from portal functionality for all but payments.

#### Service Desk Report:

Ms. Gia Howell, FCCC Portal Program Service Desk Manager, presented the March 2017 Service Desk Report. She noted that the numbers were increased from February as is typical in the spring.

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Additionally, Ms. Howell noted that Clerk calls were up due to the impending April release. The service desk team was still assisting with the pending filing clean-up effort.

#### Florida Courts Technology Commission

Mr. Tim Smith thanked those Clerks who are members of the Florida Courts Technology Commission (FCTC) and the staff who also attend the meetings.

Mr. Tom Hall briefed the board about the FCTC/Rules of Judicial Administration (RJA) joint workgroup reviewing and revising all rules in regard to keeping paper. He reported that they hoped to file drafts with the Supreme Court 6-8 months from now. He did feel, however, that the group is committed to getting rid of paper.

#### New Business

##### Status Report on District Courts of Appeal

Ms. Carolyn Weber reported that the 2<sup>nd</sup> District Court of Appeal's ability to accept filing through the portal would be blocked with the April 28 release. It would still be the case that payments could be sent through the portal to the DCA, but all regular case filings would be sent directly to the DCA through the eDCA system. Chairman Smith reported that a Supreme Court Order was released earlier this week, AOSC17-23 rescinding the previous order.

Update on Rules of Judicial Administration  
(see earlier comments by Mr. Hall)

#### Old Business

##### Third Party Batch Filing Process – Status

Mr. Smith reviewed the background on the process the board had approved to accept and work with Third Party Vendors and their connecting to the Portal. Weber provided the board with the status of the nine vendors that are working to connect for third party batch filing. She noted that the ability to batch file would be included in the 2017.01 release scheduled for April 28.

Ms. Hoshihara briefly noted the background of the effort and discussed allowing the vendors, once certified and working in the batch mode in the court areas and filing paths requested, to add more services-- adding more court areas and filing types/paths.

Mr. Tomasino moved to approve initial certification for the 8 vendors that have completed all of the requirements and authorize the Chairman to execute the license agreements. If approved, these 8 vendors can begin batch filing on April 28<sup>th</sup>, the date of the Release. Mr. Peacock seconded the motion. All voted in favor.

Chairman Smith recognized Mr. Brian Dahlgren, JJI Process, who thanked everyone and hoped to be done with testing soon.

Mr. Tomasino made a motion to approve JJI Process' initial certification contingent upon successful completion of the certification requirements. If approved, the Chairman may execute the license agreement without further Board approval. Mr. Peacock seconded the motion.

Chairman Smith asked Mr. Dahlgren if he had any comments. He had none. All voted in favor.

Finally, Mr. Tomasino moved to authorize the Chairman to approve any subsequent requests from these vendors seeking additional certification in other court areas. Mr. Peacock seconded the motion. All voted in favor.

Chairman Smith thanked all the vendors for participating.

#### Report from General Counsel

Ms. Hoshihara had no additional issues for the board.

#### Public Comment

There was no one in the public wishing to comment. Mr. Tim Smith thanked everyone for attending.

The meeting was adjourned at 11:15 a.m.