



## MEETING MINUTES

Florida Courts E-Filing Authority  
Special Meeting  
August 26, 2022  
2:00 p.m., EDT

Florida Courts E-Filing Authority Board of Directors held a special meeting on August 26, 2022, at 2:00 p.m., EDT, by WebEx. The following board members were present:

- The Hon. Karen E. Rushing, Chair** (Clerk of Court, Sarasota County)
- The Hon. Todd Newton, Vice Chair | District IV** (Clerk of Court, Gilchrist County)
- The Hon. Jeffrey R. Smith, CPA | District V** (Clerk of Court, Indian River County)
- The Hon. Tara S. Green | District III** (Clerk of Court, Clay County)
- The Hon. John Tomasino** (Clerk of the Court, Florida Supreme Court)
- The Hon. Clayton O. Rooks | District I** (Clerk of Court, Jackson County)
- The Hon. Steve Land | District II** (Clerk of Court, Lafayette County)
- The Hon. Stacy M. Butterfield, CPA | District VI** (Clerk of Court, Polk County)
- The Hon. Kevin Madok | District VII** (Clerk of Court, Monroe County)

Present    Not Present

### Introduction and Roll Call

The Honorable Karen E. Rushing, Chair, opened the meeting at 2:00 p.m., EDT, welcomed everyone to the special meeting and asked Beth Allman to call the roll. A quorum was present.

### Public Comment

The Honorable Karen E. Rushing, Chair, asked if any one on the WebEx wished to speak. There were no comments.

### Executive Session

The Honorable Karen E. Rushing, Chair, announced that the Board would convene in a closed session to discuss pending settlement in the matter of Courthouse News Service v. Brenda D. Forman, et.al.

Ms. Lynn Hoshihara, Esq., Board General Counsel, announced that she; the nine Board members; Nabors Giblin attorneys Mr. Greg Stewart, Ms. Elizabeth Ellis and Ms. Kirsten

Mood; Chris Hart IV; and a certified court reporter would convene in a separately held Executive Session to discuss the proposed settlement and would return in approximately an hour. Ms. Hoshihara explained that the session would be closed to the public pursuant to s. 286.11, F.S.

The Florida Courts E-Filing Authority convened in the Executive Session at 2:10 p.m., EDT.

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The Honorable Karen E. Rushing, Chair, re-opened the public meeting at 2:41 p.m. EDT.

Ms. Lynn Hoshihara, Esq., requested Board approval of the terms of the settlement agreement between Courthouse News Service (CNS) and the Authority wherein the Board would agree to implement a public review queue for non-confidential circuit civil complaints and dismiss the appeal, in exchange for CNS waiving their attorney's fees and dismissing their complaint.

The Honorable Jeffrey R. Smith made the motion to approve the terms of the settlement agreement between the Authority Board and Courthouse News Service. The Honorable Stacy M. Butterfield seconded the motion. There was no discussion and all voted in favor of the motion.

The Chair commented that at this time the Board would continue with the regular agenda for the Board meeting.

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

The Honorable Jeffrey R. Smith presented the July 1, 2022, minutes as posted on the website and shown on the screen. There were no questions or corrections to the minutes.

The Honorable Jeffrey R. Smith made a motion to approve the minutes as provided. The Honorable Todd Newton seconded the motion. All voted to approve the July 1, 2022, minutes.

### **Treasurer's Report**

The Honorable Jeffrey R. Smith presented the June 2022 financial report. He commented that while June was the final month of the fiscal year, the numbers had not yet been through final audit adjustments.

He recognized Ms. Lane Williams, FCCC CFO, who told the Board that there the legal expenses incurred due to the lawsuit were unbudgeted expenses, but some would be in last year's budget and some expenses in this year's budget. She told the Board she would be bringing detail about those expenses to the Board as needed. She noted that this year's audit was scheduled to begin September 12, 2022.



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The Honorable Todd Newton asked about the interchange fees, noting that the expenses looked higher than usual. Ms. Williams explained that the expenses fluctuated each month, dependent on the types of payments used. She told the Board that higher exchange fees reflected higher transaction volumes.

## **Progress Reports**

### E- Portal Progress Report

Ms. Carolyn Weber, Portal Program Manager, reviewed the highlights of the July 2022 Portal Progress Report. Of note, in July there were almost 476,000 registered users of Florida Courts E-Filing Portal. July 26, 2022, was the highest volume day of that month with 92,323 submissions.

### Confidentiality Buttons Post-Complaint

Ms. Weber told the Board that the radio buttons denoting confidentiality in Circuit Civil, County Civil and Small Claims initiating documents were put in place on August 20, 2022. The Portal Team has provided the documentation to the Third Party Vendors and the CMS Vendors doing local and Portal review so they can consume the confidentiality flags as desired.

### Portal Release 2022.02

Ms. Weber reviewed the 2202.02 Release list shown on the screen. She explained that the one item of most impact to filers was item 30019440. This Portal function was slated to be revised in the release such that the Notice of Electronic Filing email will contain a link for the filed documents, not the documents themselves.

The tentative release date is October 29, 2022.

The Honorable John Tomasino made a motion to accept the 2022.02 Release list as provided. The Honorable Todd Newton seconded the motion. All voted in favor.

### Third Party Vendor Approval:

Ms. Weber told the Board that two third party vendor applicants, Morgan & Morgan and ARMGuard Solutions, have met all the requirements for filing in the circuit and county civil filing paths, in new and exiting cases. She asked the Board for their approval of these two new companies.

The Honorable Todd Newton moved to approve Morgan & Morgan and ARMGuard Solutions as certified Third Party Vendors. The Honorable Clayton Rooks seconded the motion. All voted in favor.

## **Service Desk Report**



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Ms. Gia Howell, Portal Service Desk Manager, reviewed the highlights of the service desk inquiry volumes for the month of July.

There were no questions.

### **Florida Courts Technology Commission**

The Honorable Karen E. Rushing, Chair, told the Board about the recent Florida Courts Technology Committee meeting and the renewed interest in creating a standard for document descriptions.

### **Old Business**

There was no old business to discuss.

### **New Business**

The Honorable Karen E. Rushing, Chair, recognized Kyle Dunaway, FCCC Director of Marketing and Communications. Mr. Dunaway told the Board about a LegalFuel session that he is working on with Carolyn Weber and the Florida Bar. The session is about PDF/A and is focused on training lawyers. The training session is scheduled for late September. He promised more information as the session got closer.

### **General Counsel Report**

Ms. Lynn Hoshihara, Esq., General Counsel, reported that she had no updates at this time.

### **Public Comment**

The Honorable Karen E. Rushing, Chair, asked if there was anyone in the audience wishing to speak.

The Honorable Gary R. Cooney, Esq., Lake County Clerk of Court, was recognized. He asked if the Portal would be including county civil and small claims cases in the public review queue, or only circuit civil documents? Ms. Hoshihara was recognized to respond. She explained that the settlement agreement only addressed circuit civil complaints. He commented that it seemed that Clerks, then, would need to do all the work for county civil and small claims filings, placing them on a public website within 23 hours, else be sued. He also asked if every filer, including a judge, has to use the radio buttons. Ms. Weber clarified that it was only for initiating documents in the three case types, CC, CA, and SC, and that judges did not initiate cases.

Using the “chat” feature, Ms. Dian Diaz, Broward County Clerk’s Office, asked if the settlement agreement had a timeframe for the implementation of the public review queue. Ms. Hoshihara responded by stating that the settlement agreement provided the Authority six months from the date of dismissal of the complaint.



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## **Adjournment**

The Honorable Todd Newton made a motion to adjourn. The Honorable Stacy M. Butterfield seconded the motion and all voted in favor.

The Honorable Karen E. Rushing, Chair, thanked everyone for attending.

The meeting was adjourned at 3:04 p.m., EDT.



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