

MEETING MINUTES

Florida Courts E-Filing Authority
September 16, 2022
9:00 a.m., EDT

Florida Courts E-Filing Authority Board of Directors held a Board meeting on September 16, 2022, at 9:00 a.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 9:00 a.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.

Mr. Michael Davis, Florida Association of Criminal Defense Lawyers (FACDL), addressed the Board about the Notice Of Electronic Filing (NEF) and the proposed link to documents in the email, rather than attached pdf documents as discussed at the previous meeting. As the Miami-Dade Clerk does not provide access to documents in the Criminal system, he told the Board that lawyers depend on the actual documents being sent to in order to assist in managing their cases. He thanked all who he had spoken to him and offered understanding of the issue.

There were no other comments.

Adoption of the Agenda

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

Reading and Approval of the Minutes

The Honorable Jeffrey R. Smith, Secretary/Treasurer, presented the June 6, 2022, minutes posted on the website and shown on the screen, as they had inadvertently been overlooked at the last meeting. There were no questions or corrections to the minutes.

The Honorable Jeffrey R. Smith then presented the August 26, 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 June 6, 2022, and the August 26, 2022, minutes as provided. The Honorable Todd Newton seconded the motion. All voted to approve minutes.

Treasurer's Report

The Honorable Jeffrey R. Smith presented the July 2022 financial report as posted on the website and presented on the screen.

He recognized Ms. Lane Williams, FCCC CFO, who informed the Board that Purvis Gray was working on the annual financial audit and wrapping up the SOC audit.

The Honorable Jeffrey R. Smith reminded the Chair that there would need to be an RFP committee to address audit services created later this year as it is the last year of the Purvis Gray contract.

Progress Reports

Discussion of Public Access System

The Honorable Karen E. Rushing recognized Ms. Carolyn Weber, FCCC Portal Program Manager, to review suggestions for the Public Access System as agreed to in the federal case settlement. Ms. Weber presented potential concepts for the public access to non-confidential circuit civil complaints.

Ms. Rushing led the Board in a discussion about a potential watermark and its wording.

The Honorable Stacy M. Butterfield made a motion to have a watermark. The Honorable Jeffrey R. Smith seconded the motion. All voted in favor.



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After further discussion, the Honorable Stacy M. Butterfield made a motion to adopt the watermark "Not Official Court Document." The Honorable Jeffrey R. Smith seconded the motion. All voted in favor of the motion.

Chair Rushing then moved into a discussion of a naming convention for the public access system.

She asked Ms. Weber the expected date for completion of the site. Ms. Weber told the Board the site is projected to be done by the end of the year. Ms. Weber noted that she would work on a mock-up for the next meeting.

The Honorable Tara S. Green made a motion to allow the site to be programmed, then work on the branding which would naturally lead to a naming convention. The Honorable Stacy M. Butterfield seconded the motion and all voted in favor.

E- Portal Progress Report

Ms. Carolyn Weber, Portal Program Manager, reviewed the highlights of the August 2022 Portal Progress Report.

She commented that once the Notice of Electronic Filing (NEF) emails changed from sending document to having a document link, the number of NEF emails will decrease. She explained that in sending the documents there is a 5 mbg size limit; thus, many documents were divided into several emails in order to send the whole document. Changing to a link will alleviate having to split the documents into pieces.

On the change to a link with the NEF, as presented at the previous meeting, Ms. Weber told the Board she had heard from a number of attorneys and she had several solutions she wanted to present to the Board.

Ms. Weber explained that she has spoken to members of the Miami-Dade Bar and, as noted earlier in the meeting by Michael Davis, Miami FACDL, they experienced difficulty in obtaining documents in Miami-Dade criminal cases.

- 1) She asked that for cases in that county that the pdf document continue to be attached to the NEF until Miami-Dade had the ability to provide images, which was expected to be about 2025.
- 2) Ms. Weber asked that Florida's State Attorney's Offices and Public Defender's Offices continue to receive the documents with the NEF as their case management systems had been programmed to accommodate the images.



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- 3) Finally, Ms. Weber suggested extending the life of the link in the NEF from 7 to 14 days, excluding weekends, once accepted by the Clerk, or it is abandoned.

The Honorable John Tomasino made a motion to the support the recommendation of continuing to provide PDF documents attached to the NEF for Miami-Dade criminal cases, continuing to provide the NEF with attached documents to State Attorney's and Public Defender's offices, and extending the life of the NEF linked documents to 14 days, excluding weekends, once accepted by the Clerk, or it is abandoned. The Honorable Todd Newton seconded the motion.

In discussion, Mr. Tom Hall, asked if the extended timeframe for the active links applied to all case types. Ms. Weber responded that it did. The Honorable Karen E. Rushing asked what the cost would be to store the linked documents for the 14-day period. Ms. Weber responded that it would cost \$675/month to hold the links for the 14-day period. The Honorable Karen E. Rushing asked if the Portal team could track access to the linked documents. If it were the case, she suggested that the timeframe could be adjusted and cost potentially reduced at a later point. Ms. Weber thought it may be able to be tracked.

All voted in favor of the motion.

Service Desk Report

Ms. Gia Howell, Portal Service Desk Manager, reviewed the highlights of the service desk volumes for the month of August 2022.

There were no questions.

Florida Courts Technology Commission

The Honorable Karen E. Rushing, Chair, told the Board that the Supreme Court continued to express interest in standardized document descriptions. She explained it would start at the Portal level, go down to case maintenance systems, then to the judicial viewers. She noted it would require change at the Clerk level. She told the Board she would keep them apprised as the issue evolved.

Old Business

There was no old business to discuss.

New Business

There was no new business to discuss.

General Counsel Report



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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 Laura E. Roth, Volusia, asked if there was any consideration of adding county civil to the case initiating documents being made available at the public access queue and how the radio buttons worked. The Honorable Karen E. Rushing explained the radio buttons were viewable and used for initiating documents in circuit civil, county civil and small claims cases. She further explained that the settlement only addressed making available those non-confidential, case-initiating documents in circuit civil cases; the public access system was being designed to meet the requirements of the settlement.

Adjournment

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

The Honorable Todd Newton made a motion to adjourn. The Honorable Jeffrey R. Smith seconded the motion and all voted in favor.

The meeting was adjourned at 9:43 a.m., EDT.



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