

Supreme Court of Florida

No. AOSC09-18

IN RE: ELECTRONIC TRANSMISSION AND FILING OF
DOCUMENTS UNDER FLORIDA RULE OF JUDICIAL
ADMINISTRATION 2.525 FOR BROWARD COUNTY, IN
THE SEVENTEENTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER

Pursuant to rule 2.525, Florida Rules of Judicial Administration, “[a]ny court or clerk of court may accept electronic transmission of documents for filing after the clerk, with input from the chief judge of the circuit, has obtained approval of the procedures and program for doing so from the Supreme Court of Florida.”

In In re: Electronic Transmission and Filing of Documents under Florida Rule of Judicial Administration 2.525 for Broward County, No. AOSC07-19 (Fla. April 23, 2007), Broward County was authorized to accept documents filed by electronic transmission for the Probate and Guardianship Division of the court. The Broward County Clerk of Court has submitted a request for authorization to discontinue the hard-copy follow-up pleading requirement on documents filed electronically in the Probate and Guardianship Division. The Broward County Clerk of Court has satisfied all the terms and conditions as previously set forth in AOSC07-19.

The Electronic Filing Committee of the Florida Courts Technology Commission, pursuant to the procedure established by the Supreme Court,

reviewed the request and recommended that the Supreme Court of Florida approve the request from Broward County. The Florida Courts Technology Commission concurred with the recommendation of the Electronic Filing Committee.

Accordingly, the Broward County Clerk of Court's request to discontinue the hard-copy follow-up pleading requirement on documents filed electronically in the Probate and Guardianship Division is hereby approved subject to the following terms and conditions:

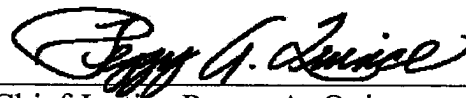
- a. The Broward County Clerk of Court may implement the aforementioned technology procedures in accordance with the approved plan effective on the date of this order.
- b. The Broward County Clerk of Court shall ensure that there is no possibility for vendors to release or distribute court data to third parties and that the Clerk of Court retains the designation as custodian of the court records.
- c. The Broward County Clerk of Court shall ensure that contract provisions prohibit any vendor from extracting, data mining, or engaging in similar activities with regard to information from original court filings and other court records or any associated databases containing court records in the circuit for commercial or other non court related uses.

- d. The Broward County Clerk of Court shall ensure that no fees can be assessed or collected, other than statutorily required fees, and shall continue to accept paper filings at no charge.
- e. The Broward County Clerk of Court shall ensure that remote data backups will be stored in a protected environment that is not subject to the same risks as the primary site of the court record, and that the circuit will comply with established data backup standards as they are revised and updated.
- f. There is an acknowledgement that this approval does not constitute an endorsement by the Florida Courts Technology Commission of the use of Florida Lawyers Support Services, Inc. forms, or any other electronic forms that Broward County intends to use to facilitate electronic filing.
- g. The Broward County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- h. The Supreme Court anticipates the approval of a statewide e-filing “portal” to ensure equal access to electronic filing across the state and has directed that the Florida Courts Technology Commission make implementation of such a system a priority of the judicial branch. All

local electronic filing systems must be compatible with the statewide electronic filing portal and approval of Broward County's request is contingent on the system's compatibility with the statewide portal when it is approved.

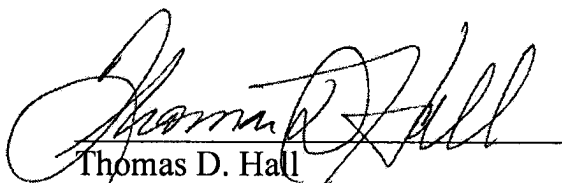
- i. At the present time, the Court is considering enhancements to current electronic filing practices throughout the State. There is a possibility that these enhancements may include the development and application of new business practices and technology standardization. Because these enhancements may occur in the near future, it will be the responsibility of the Clerk to ensure that functionality of the proposed system related to electronic court records will also be made compliant with these new technological enhancements.

DONE AND ORDERED at Tallahassee, Florida, on May 6, 2009.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall
Clerk, Supreme Court

