



656138

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/08/2011	.	
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The Committee on Judiciary (Thrasher) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 27.341, Florida Statutes, is created to
read:

27.341 Electronic filing and receipt of court documents.-

(1) (a) Each office of the state attorney shall develop the
technological capability and implement a process by which the
state attorney can electronically file court documents with the
clerk of the court and receive court documents from the clerk of
the court. It is the expectation of the Legislature that the



656138

14 electronic filing and receipt of court documents will reduce
15 costs for the office of the state attorney, the clerk of the
16 court, and the judiciary; will increase timeliness in the
17 processing of cases; and will provide the judiciary and the
18 clerk of the court with case-related information to allow for
19 improved judicial case management.

20 (b) As used in this section, the term "court documents"
21 includes, but is not limited to, pleadings, motions, briefs, and
22 their respective attachments, orders, judgments, opinions,
23 decrees, and transcripts.

24 (2) It is further the expectation of the Legislature that,
25 when developing the capability and implementing the process,
26 each office of the state attorney consult with the office of the
27 public defender for the same circuit served by the office of the
28 state attorney, the clerks of court for the circuit, the Florida
29 Court Technology Commission, and any authority that governs the
30 operation of a statewide portal for the electronic filing and
31 receipt of court documents.

32 (3) The Florida Prosecuting Attorneys Association shall
33 file a report with the President of the Senate and the Speaker
34 of the House of Representatives by March 1, 2012, describing the
35 progress that each office of the state attorney has made to
36 implement an electronic filing and receipt system. For any
37 office of the state attorney that has not fully implemented an
38 electronic filing and receipt system by March 1, 2012, the
39 report must also include a description of the additional
40 activities that are needed to complete the system for that
41 office and the projected time necessary to complete the
42 additional activities.



656138

43 Section 2. Section 27.5112, Florida Statutes, is created to
44 read:

45 27.5112 Electronic filing and receipt of court documents.-

46 (1)(a) Each office of the public defender shall develop the
47 technological capability and implement a process by which the
48 public defender can electronically file court documents with the
49 clerk of the court and receive court documents from the clerk of
50 the court. It is the expectation of the Legislature that the
51 electronic filing and receipt of court documents will reduce
52 costs for the office of the public defender, the clerk of the
53 court, and the judiciary; will increase timeliness in the
54 processing of cases; and will provide the judiciary and the
55 clerk of the court with case-related information to allow for
56 improved judicial case management.

57 (b) As used in this section, the term "court documents"
58 includes, but is not limited to, pleadings, motions, briefs, and
59 their respective attachments, orders, judgments, opinions,
60 decrees, and transcripts.

61 (2) It is further the expectation of the Legislature that,
62 in developing the capability and implementing the process , each
63 office of the public defender consult with the office of the
64 state attorney for the same circuit served by the office of the
65 public defender, the clerks of court for the circuit, the
66 Florida Court Technology Commission, and any authority that
67 governs the operation of a statewide portal for the electronic
68 filing and receipt of court documents.

69 (3) The Florida Public Defender Association shall file a
70 report with the President of the Senate and the Speaker of the
71 House of Representatives by March 1, 2012, describing the



656138

72 progress that each office of the public defender has made to
73 implement an electronic filing and receipt system. For any
74 office of the public defender that has not fully implemented an
75 electronic filing and receipt system by March 1, 2012, the
76 report must also include a description of the additional
77 activities that are needed to complete the system for that
78 office and the projected time necessary to complete the
79 additional activities.

80 Section 3. This act shall take effect upon becoming a law.

81
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84
85 Delete everything before the enacting clause
86 and insert:

87 A bill to be entitled
88 An act relating to electronic filing and receipt of
89 court documents; creating ss. 27.341 and 27.5112,
90 F.S.; requiring each state attorney and public
91 defender to implement a system by which the state
92 attorney and public defender can electronically file
93 court documents with the clerk of the court and
94 receive court documents from the clerk of the court;
95 providing legislative expectations that the state
96 attorneys and public defenders consult with specified
97 entities; defining the term "court documents";
98 requiring that the Florida Prosecuting Attorneys
99 Association and the Florida Public Defender
100 Association report to the President of the Senate and



656138

101 the Speaker of the House of Representatives by a
102 specified date on the progress made in implementing
103 the electronic filing and receipt system; providing an
104 effective date.