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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2011	.	
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The Committee on Budget Subcommittee on Criminal and Civil Justice Appropriations (Bennett) 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 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 electronic filing and receipt of court documents will reduce costs for the office



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13 of the state attorney, the clerk of the court, and the
14 judiciary; will increase timeliness in the processing of cases;
15 and will provide the judiciary and the clerk of the court with
16 case-related information to allow for improved judicial case
17 management.

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

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

29 (3) The Florida Prosecuting Attorneys Association shall
30 file a report with the President of the Senate and the Speaker
31 of the House of Representatives by March 1, 2012, describing the
32 progress that each office of the state attorney has made to use
33 the Florida Courts E-Portal or separate clerks' offices portals
34 for purposes of electronic filing and documenting receipt of
35 court documents. For any office of the state attorney that has
36 not fully implemented an electronic filing and receipt system by
37 March 1, 2012, the report must also include a description of the
38 additional activities that are needed to complete the system for
39 that office and the projected time necessary to complete the
40 additional activities.

41 Section 2. Section 27.5112, Florida Statutes, is created to



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42 read:

43 27.5112 Electronic filing and receipt of court documents.-

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

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

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

66 (3) The Florida Public Defender Association shall file a
67 report with the President of the Senate and the Speaker of the
68 House of Representatives by March 1, 2012, describing the
69 progress that each office of the public defender has made to use
70 the Florida Courts E-Portal or separate clerks' offices portals



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

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

79
80 ===== T I T L E A M E N D M E N T =====

81 And the title is amended as follows:

82
83 Delete everything before the enacting clause
84 and insert:

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



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receive court documents; providing an effective date.