

By the Committee on Judiciary; and Senator Bennett

590-01827-11

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1 A bill to be entitled
2 An act relating to electronic filing and receipt of
3 court documents; creating ss. 27.341 and 27.5112,
4 F.S.; requiring each state attorney and public
5 defender to implement a system by which the state
6 attorney and public defender can electronically file
7 court documents with the clerk of the court and
8 receive court documents from the clerk of the court;
9 providing legislative expectations that the state
10 attorneys and public defenders consult with specified
11 entities; defining the term "court documents";
12 requiring that the Florida Prosecuting Attorneys
13 Association and the Florida Public Defender
14 Association report to the President of the Senate and
15 the Speaker of the House of Representatives by a
16 specified date on the progress made in implementing
17 the electronic filing and receipt system; providing an
18 effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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

24 27.341 Electronic filing and receipt of court documents.-
25 (1) (a) Each office of the state attorney shall develop the
26 technological capability and implement a process by which the
27 state attorney can electronically file court documents with the
28 clerk of the court and receive court documents from the clerk of
29 the court. It is the expectation of the Legislature that the

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30 electronic filing and receipt of court documents will reduce
31 costs for the office of the state attorney, the clerk of the
32 court, and the judiciary; will increase timeliness in the
33 processing of cases; and will provide the judiciary and the
34 clerk of the court with case-related information to allow for
35 improved judicial case management.

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

40 (2) It is further the expectation of the Legislature that,
41 when developing the capability and implementing the process,
42 each office of the state attorney consult with the office of the
43 public defender for the same circuit served by the office of the
44 state attorney, the clerks of court for the circuit, the Florida
45 Court Technology Commission, and any authority that governs the
46 operation of a statewide portal for the electronic filing and
47 receipt of court documents.

48 (3) The Florida Prosecuting Attorneys Association shall
49 file a report with the President of the Senate and the Speaker
50 of the House of Representatives by March 1, 2012, describing the
51 progress that each office of the state attorney has made to
52 implement an electronic filing and receipt system. For any
53 office of the state attorney that has not fully implemented an
54 electronic filing and receipt system by March 1, 2012, the
55 report must also include a description of the additional
56 activities that are needed to complete the system for that
57 office and the projected time necessary to complete the
58 additional activities.

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59 Section 2. Section 27.5112, Florida Statutes, is created to
60 read:

61 27.5112 Electronic filing and receipt of court documents.-

62 (1) (a) Each office of the public defender shall develop the
63 technological capability and implement a process by which the
64 public defender can electronically file court documents with the
65 clerk of the court and receive court documents from the clerk of
66 the court. It is the expectation of the Legislature that the
67 electronic filing and receipt of court documents will reduce
68 costs for the office of the public defender, the clerk of the
69 court, and the judiciary; will increase timeliness in the
70 processing of cases; and will provide the judiciary and the
71 clerk of the court with case-related information to allow for
72 improved judicial case management.

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

77 (2) It is further the expectation of the Legislature that,
78 in developing the capability and implementing the process, each
79 office of the public defender consult with the office of the
80 state attorney for the same circuit served by the office of the
81 public defender, the clerks of court for the circuit, the
82 Florida Court Technology Commission, and any authority that
83 governs the operation of a statewide portal for the electronic
84 filing and receipt of court documents.

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

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88 progress that each office of the public defender has made to
89 implement an electronic filing and receipt system. For any
90 office of the public defender that has not fully implemented an
91 electronic filing and receipt system by March 1, 2012, the
92 report must also include a description of the additional
93 activities that are needed to complete the system for that
94 office and the projected time necessary to complete the
95 additional activities.

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