

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; and Judiciary; and Senator Bennett

604-02621-11

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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 electronically file court documents with
6 the clerk of the court and receive court documents
7 from the clerk of the court; defining the term "court
8 documents"; providing legislative expectations that
9 the state attorneys and public defenders consult with
10 specified entities; requiring the Florida Prosecuting
11 Attorneys Association and the Florida Public Defender
12 Association report to the President of the Senate and
13 the Speaker of the House of Representatives by a
14 specified date on the progress made to use the Florida
15 Courts E-Portal system or the clerks' offices portals
16 to electronically file and receive court documents;
17 providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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

23 27.341 Electronic filing and receipt of court documents.-
24 (1) (a) Each office of the state attorney shall
25 electronically file court documents with the clerk of the court
26 and receive court documents from the clerk of the court. It is
27 the expectation of the Legislature that the electronic filing
28 and receipt of court documents will reduce costs for the office
29 of the state attorney, the clerk of the court, and the

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30 judiciary; will increase timeliness in the processing of cases;
31 and will provide the judiciary and the clerk of the court with
32 case-related information to allow for improved judicial case
33 management.

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

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

45 (3) The Florida Prosecuting Attorneys Association shall
46 file a report with the President of the Senate and the Speaker
47 of the House of Representatives by March 1, 2012, describing the
48 progress that each office of the state attorney has made to use
49 the Florida Courts E-Portal or, if the case type is not approved
50 for the Florida Courts E-Portal, separate clerks' offices
51 portals for purposes of electronic filing and documenting
52 receipt of court documents. For any office of the state attorney
53 that has not fully implemented an electronic filing and receipt
54 system by March 1, 2012, the report must also include a
55 description of the additional activities that are needed to
56 complete the system for that office and the projected time
57 necessary to complete the additional activities.

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

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59 read:

60 27.5112 Electronic filing and receipt of court documents.-

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

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

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

83 (3) The Florida Public Defender Association shall file a
84 report with the President of the Senate and the Speaker of the
85 House of Representatives by March 1, 2012, describing the
86 progress that each office of the public defender has made to use
87 the Florida Courts E-Portal or, if the case type is not approved

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88 for the Florida Courts E-Portal, separate clerks' offices
89 portals for purposes of electronic filing and documenting
90 receipt of court documents. For any office of the public
91 defender that has not fully implemented an electronic filing and
92 receipt system by March 1, 2012, the report must also include a
93 description of the additional activities that are needed to
94 complete the system for that office and the projected time
95 necessary to complete the additional activities.

96 Section 3. This act shall take effect July 1, 2011.