

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

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

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

22           27.341 Electronic filing and receipt of court documents.-  
 23           (1) (a) Each office of the state attorney shall  
 24 electronically file court documents with the clerk of the court  
 25 and receive court documents from the clerk of the court. It is  
 26 the expectation of the Legislature that the electronic filing  
 27 and receipt of court documents will reduce costs for the office  
 28 of the state attorney, the clerk of the court, and the

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

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

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

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

57 Section 2. Section 27.5112, Florida Statutes, is created  
58 to read:

59 27.5112 Electronic filing and receipt of court documents.-

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

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

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

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

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

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