

# Supreme Court of Florida

No. AOSC19-74

IN RE: JUDICIAL ELECTRONIC FILING

## ADMINISTRATIVE ORDER

The transition from a paper-based information management system to one that primarily relies on digital records represents a fundamental change in the internal operations of Florida's state courts. As stated in *In re: Statewide Standards for Electronic Access to the Courts*, Fla. Admin. Order No. AOSC09-30 (July 1, 2009), “electronic filing is only one component . . . of a comprehensive environment in which other components of the court process are also automated.”

Through their implementation of electronic filing and reliance on an automated case management system, the Supreme Court and the district courts of appeal have been leaders as the Florida state courts transition to a fully electronic environment that is largely paperless. Additionally, considerable efforts have been directed toward developing the infrastructure and policies necessary for parties to electronically file documents through the Florida Courts E-Filing Portal (“Portal”), while simultaneously establishing mechanisms to accept and maintain documents electronically. In 2013, this Court further endorsed the comprehensive automated

court environment concept by directing attorneys to electronically file documents in both the civil and criminal divisions.<sup>1</sup> Since then, electronic filing (“e-filing”) has been a successful endeavor that saves time and money. An electronic court file that is fully accessible by all judicial system participants provides significant opportunities for increased efficiencies and, ultimately, cost savings to the judiciary.

The trial courts are an integral component in the transition to a fully electronic court environment. As funding has become available, the trial courts have worked diligently to implement the Court Application Processing System (“CAPS”), which is a computer application designed for in-court and in-chambers use by trial court judges and court staff, enabling them to work electronically on cases from any location and across many devices and data sources. The purpose of CAPS is to provide judges with rapid and reliable access to case information; provide access to and use of case files and other data while managing cases, scheduling and conducting hearings, adjudicating disputes, and recording and reporting judicial activity; and allow judges to prepare or accept, review, modify, electronically sign, file, and serve orders. However, although significant progress

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1. See *In re: Electronic Filing in the Supreme Court of Florida Via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-7, and *In re: Electronic Filing of Criminal Cases in the Trial Courts of Florida Via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-48.

has been made to implement these systems, not all circuits, counties, or divisions have a fully-operational CAPS at this time.

Successful implementation of judicial e-filing using CAPS in the trial courts, as recommended by the Florida Courts Technology Commission (“Commission”), is contingent upon CAPS being implemented in every trial court, the appropriate functionality being available in CAPS, and the system being integrated with the Portal to receive proposed orders and file electronically signed orders.

Therefore, mandatory judicial e-filing must be undertaken concomitantly with the broader issue of ensuring access to CAPS for all judges. In conjunction with the Judicial E-filing Workgroup, the Commission submitted the *Judicial E-Filing Workgroup Report* (August 23, 2018), which is a proposed plan to address workload and other considerations associated with judicial e-filing. That report recommends trial courts operate within CAPS to electronically sign orders, including those prepared in court, and file them through the Portal or directly to the clerk's case maintenance system, utilizing standardized self-populating templates. Additionally, the report supports the continued development and improvement of the Portal and recommends filers use the Portal to submit proposed orders to CAPS.

After considering the *Judicial E-Filing Workgroup Report*, and in order for the judicial branch to continue enhancing the utilization of technology in a

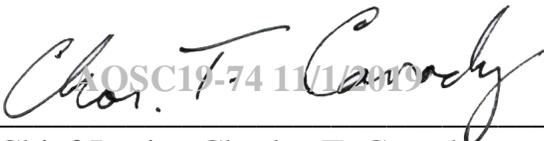
uniform manner to increase the effectiveness, efficiency, and accessibility of the state courts, the Court hereby adopts as its policy that the Court Application Processing System (CAPS) be deployed in every circuit, county, and division of Florida's trial courts and that CAPS be used by all judges, when available. Each circuit is directed to pursue, from their respective counties, the funding necessary to implement and maintain CAPS in all divisions.

Moreover, the Court hereby requires judges to electronically sign orders and file them through the Portal or directly to the clerk's case maintenance system when CAPS is available, fully-operational, and integrated with the Portal to receive proposed orders and file electronically signed orders. The Court also encourages the utilization of standardized, self-populating templates to improve the consistency of orders from case to case and county to county. Finally, although several CAPS systems allow for the direct filing of proposed orders, the Court supports the continued development of the Portal and hereby encourages the submission of proposed orders through the Portal to CAPS.

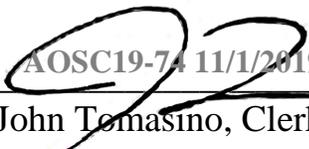
Chief judges of the trial courts are responsible for overseeing implementation of judicial e-filing within their respective circuit, pursuant to the policies and guidance set forth in this administrative order. Chief judges shall notify the Florida Courts Technology Commission when each county within their respective circuit has fully implemented judicial e-filing in

accordance with this administrative order. If a trial court is not able to fully implement judicial e-filing in every county in that circuit within six months of the date of this order, the chief judge shall report that information to the Florida Courts Technology Commission and continue to report on a biannual basis thereafter until every county within the circuit has fully implemented judicial e-filing. The report shall include a description of the trial court's progress and indicate the reasons it has not implemented judicial electronic filing within that jurisdiction, including when it is not practical. In multi-county circuits, the report should provide this information on a county-by-county basis.

DONE AND ORDERED at Tallahassee, Florida, on November 1, 2019.

  
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Chief Justice Charles T. Canady  
AOSC19-74 11/1/2019

ATTEST:

  
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John Tomasino, Clerk of Court  
AOSC19-74 11/1/2019

