

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.