IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
STATE OF FLORIDA

ADMINISTRATIVE ORDER NO. 2015-19

IN RE: FIRST JUDICIAL CIRCUIT COURT APPLICATION PROCESSING
SYSTEM (FJC-CAPS) and ELECTRONIC ACCESS TO COURT
RECORDS

Rule 2.236, *Florida Rules of Judicial Administration* imposes upon the Florida Courts Technology Commission (hereinafter "FCTC") the responsibility for overseeing, managing, and directing the development and use of technology within the judicial branch under the direction of the Supreme Court of Florida. The *Florida Supreme Court Standards for Electronic Access to the Courts, Version 14.0*, states "the integrity of and efficient delivery of information to the judiciary are primary goals. Any electronic processes that involve the judiciary must be approved by the judiciary prior to implementation."

The *Florida Supreme Court Standards for Electronic Access to the Courts* states "Electronic documents shall be available to court officers and personnel in a manner that provides timely and easy access, and shall not have a negative operational impact on the court." Further, "(t)he electronic file created by the Clerk of Court shall be made available and delivered to the judiciary in a manner that provides improved workflow and document management service to the judiciary and court staff.

WHEREAS, pursuant to Section 43.26(6), *Florida Statutes,* the Chief Judge of the First Judicial Circuit is given the authority to promote the prompt and efficient administration of justice in all courts within the First Judicial Circuit and pursuant to Rule 2.215, *Florida Rules of Judicial Administration,* possesses the "authority to require that all judges of the court, other court officers, and court personnel comply with all court and judicial branch policies, administrative orders, procedures and administrative plans;" and

WHEREAS, §43.26(1), F.S. grants authority to the Chief Judge to "exercise administrative supervision over all the trial courts within the judicial circuit and over the judges and other officers of such courts;" and under the authority vested in §43.26(6), F.S. the Chief Judge has the authority and discretion to determine the priority of services, policies, and processes provided to the trial court by the Clerks of Court within the First Judicial Circuit; and

WHEREAS, the Clerks of Courts within the First Judicial Circuit are to manage the performance of services in a method or manner that is consistent with statute, rule, or administrative order pursuant to §43.26(6), F.S., and

WHEREAS, circuit-wide standardization on the FJC-CAPS will provide future court efficiencies related to electronic document and court records flow to and from clerks, court personnel, attorneys, and the State of Florida's ePortal, as well as, efficiencies related to judicial administration, collaboration, reporting, and training; it is

ORDERED that:

1. **DEFINITIONS**

   For purposes of this administrative order and subject matter, the following definitions are established:

   aiSmartBench - the product name of the FJC-CAPS selected by the judiciary for use in all four counties of the First Judicial Circuit.

   Court Administration - the Administrative Office of the Courts for the First Judicial Circuit of Florida and its court under the direction, supervision and control of the Trial Court Administrator.

   Clerk - includes the Clerk of the Circuit Court & Comptroller in Escambia County, the Clerk of the Circuit Court & Comptroller in Santa Rosa County, the Clerk of the Circuit Court & Comptroller in Okaloosa County, and the Clerk of the Circuit Court & Comptroller in Walton County and includes all personnel employed or under the direction, supervision, and control of each Clerk.

   Case Maintenance System (CMS) - Clerk's software applications, data and databases that hold the court's documents and case information.

Comprehensive Case Information System (CCIS) - a secured single point of search for statewide court case information offered by Florida's Clerks of Court. The information held by CCIS includes court case information, Official Records and performance and accountability measures. Users of CCIS include the judiciary, court personnel, Clerks of Court, state and local law enforcement, state agencies, and the Florida Legislature.

Court Personnel - synonymous with any use of the term "Court Staff" and includes Magistrates, Hearing Officers, Case Managers, Judicial Assistants and all Court employees of the First Judicial Circuit and other persons who work under the direction, supervision, and control of the First Judicial Circuit Judges or Court Administration.

Chief Judge - any one individual Circuit Judge, pursuant to statute or Rule, elected to serve as Chief Judge of the First Judicial Circuit.

Court Records - as defined by Rule 2.420, *Florida Rules of Judicial Administration* and Rule 2.430, *Florida Rules of Judicial Administration* and as otherwise may be defined by the application of any statute, rule of procedure, or other written law.

Electronic Document(s) - information recorded in a manner that requires an electronic device to display, interpret, and process the document.

Data Management - policies, practices, and procedures by which data is acquired, stored, and processed; making it accessible, reliable, and timely to the data end user.

Data Inconsistencies - when different versions of the same data appear in computer systems making it difficult to determine which version of the information is correct. Data inconsistencies can occur between the Clerk's CMS and CCIS, and the Clerk's CMS and the Court's FJC-CAPS with items related, but not limited to, case party names, document redaction, division assignments, and internal tables and fields.

FCTC-CAPS (Court Application Processing System) Standards - Computer application designed for in-court and in-chambers use by trial judges or their staff to access and use electronic case files and other data sources in the course of managing cases, scheduling and conducting hearings, adjudicating disputed issues, and recording and reporting judicial activity. *(See The Florida Courts Technology Commission Trial Court Integrated Management Solution Committee's Functional Requirements Document for Court Application Processing System, Version 3.0, May 2014, Section 2.2)*

FJC-CAPS (First Judicial Circuit - Court Application Processing System) Standards - Policies, procedures, and processes developed by and within the First Judicial Circuit using standards developed by the Florida Courts Technology Commission for an electronic case file and associated software and hardware that is specifically designed to enhance the ability of the judiciary, court personnel, and clerk personnel to view court related electronic documents, court records, and data in addition to various other capabilities such as note taking, calendaring, report generation, and document creation which are uniquely necessary to support judicial economy in the conduct of judicial proceedings. All references to the term "FJC-CAPS" in this Administrative Order mean the First Judicial Circuit aiSmartBench CAPS.

Florida Supreme Court Standards for Electronic Access to the Courts - Written standards for electronic access to the courts that may evolve over time.

Folder System - electronic method of delivery used for transmitting electronic documents between the Clerk and the judiciary or court personnel. The folder system provides a separate electronic storage location for each qualified user (ie. judicial officer, court user, clerk user, or by Clerk's departments) which allows for the efficient and uniformed delivery of electronic documents, messages, and appropriate case specific communication.

Judiciary - includes the Chief Judge, County Judges, and Circuit Judges who preside over cases in or for Escambia County, Santa Rosa County, Okaloosa County, and Walton County.

Mentis Technology - the vendor of the FJC-CAPS aiSmartBench.

2. **GOVERNANCE.**

A governance structure is hereby created to effectively manage the many technology initiatives and issues related to electronic access to the courts of the First Judicial Circuit as a whole, facilitate efficient system integration, improve work flow processes, and provide stakeholders with a forum to communicate specifically about the electronic document and court records process for the benefit of the judiciary, the Clerk, and their respective personnel.

Within 30 days of the date of this order the Clerk, in each county, and the Court Administrator will convene a work group. The work group will consist of: the Clerk, or his/her designee, and a Clerk IT designee; the Court Administrator, or his/her designee, and a Court IT designee. The Clerk and the Court Administrator may, as they deem

appropriate, invite additional personnel to attend the workgroup meeting.

Each county work group will meet on a regular basis, not less than quarterly, to address, including but not limited to, electronic document and court records processes, the electronic case management and maintenance needs of both the judiciary and the Clerk, standardization of electronic workflow processes as they relate to the ongoing functionality of the FJC-CAPS, resolution of data inconsistencies, system modifications, and software upgrades.

3. **FJC-CAPS USAGE.**

aiSmartBench will be the principal FJC-CAPS for all court and clerk personnel in the First Judicial Circuit. The Chief Judge, after consultation with the Clerk, shall have full authority in matters relating to the application and use of the FJC-CAPS by each Clerk. Each Clerk will use the FJC-CAPS to support the judiciary in a manner consistent with the intended design of the software, including any modifications to the use or function of the application.

4. **ELECTRONIC DOCUMENT DELIVERY.**

The Chief Judge shall have final authority over the electronic delivery of court documents, records, and data transmitted to and from the Clerk to the judiciary, including, but not limited to, process workflow, method and location of electronic delivery, network connectivity, and software and hardware integration between the FJC-CAPS and each Clerk's CMS.

5. **FJC-CAPS FOLDER DELIVERY AND COMMUNICATION SYSTEM.**

To facilitate electronic document workflow, the judiciary, court personnel, and each Clerk will use the FJC-CAPS folder system to deliver, receive, and manage electronic documents, court records, case files, case comments, internal notes, annotations, and administrative communication between their respective offices that move outside the established data integration of the CMS and the FJC-CAPS. Each qualified court and clerk user and/or department will have a designated folder in the FJC-CAPS for

transmittal of electronic documents.

6. **MODIFICATIONS TO FJC-CAPS AND COURT RECORDS DELIVERY.**

Modifications to the electronic documents and court records delivery process are expected to occur with the advent of judicial e-Filing, rule changes, software upgrades and enhancements, and other software changes. Each Clerk will fully cooperate with any future modifications related to software, enhancements to the integration of the FJC-CAPS and their respective CMS, or changes to the electronic document and court records delivery process. Each Clerk will use all reasonable means available to ensure their vendors support and respond in a timely manner to any request by the judiciary for modifications to the software, system integration, or data inconsistencies between each Clerk's CMS and the FJC-CAPS.

7. **DATA INCONSISTENCIES.**

Pursuant to the FCTC-CAPS Standards, each Clerk shall make official court records available to the FJC-CAPS in "read-only" format in real time, or from a replication delayed no more than five minutes from real time. Data inconsistencies between the FJC-CAPS and each Clerk's CMS will be resolved in favor of the FJC-CAPS to ensure the judiciary receives accurate case information at all times. Each Clerk will modify their CMS data management policies, practices, and procedures at the Chief Judge's, or the Chief Judge's designee's, direction to ensure the accurate display of data and images by the FJC-CAPS.

8. **NOTIFICATION OF SYSTEM MODIFICATION.**

Court Administration will utilize the FCTC "Notification of System Modification" form, a copy of which is attached and made a part hereof, in making each Clerk aware of any major modifications to the FJC-CAPS. Court Administration shall submit the form to the Clerk within ten days of becoming aware of the modification to ensure the Clerks and vendors can prepare for said changes to avoid any detriment to the FJC-CAPS. Each Clerk will utilize the FCTC approved "Notification of System Modification"

form in making the Chief Judge aware of any major modifications to the Clerk's CMS, or the Clerk's intent to implement new technology systems that have the potential or will affect the judiciary and the FJC-CAPS. Each Clerk shall submit the form to the Trial Court Administrator within ten days of becoming aware of the modification or new technology implementation to ensure the courts and vendors can prepare for said changes to avoid any detriment to the FJC-CAPS.

9.   **CLERK INFORMATION TECHNOLOGY SUPPORT.**

Because of the mission critical software integration between the FJC-CAPS and each Clerk's CMS, which holds the court's data, documents, and case information, the Information Technology personnel employed by each Clerk, or their IT designee, will be promptly available to court information technology personnel to assist with any and all scheduled FJC-CAPS upgrades, emergency repairs, and resolution of any data inconsistencies during normal business hours, after hours, and during weekends when critically necessary. Prompt assistance by each Clerk's information technology personnel as designated by the Clerk is required to ensure constant access to the FJC-CAPS by the judiciary, and for the efficient operations of the court. Each Clerk hosting the First Judicial Circuit FJC-CAPS servers will assist in supporting the servers and all related hardware using industry best practices and in a manner equal to the maintenance and backup methods currently provided to their own equipment.

10.   **EFFECTIVE DATE.**

This order becomes effective June 30, 2015.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 2nd day of June, 2015.

/S/ TERRY D. TERRELL

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TERRY D. TERRELL
CHIEF JUDGE

Administrative Order No. 2015-19
Copies furnished to:

All Judges, First Judicial Circuit
Robin Wright, Trial Court Administrator
Honorable Pam Childers, Clerk of Courts, Escambia County
Honorable Donald Spencer, Clerk of Courts, Santa Rosa County
Honorable JD Peacock, Clerk of Courts, Okaloosa County
Honorable Alex Alford, Clerk of Courts, Walton County

Notification of System Modification

Contact Information					
Contact Person Name			Contact Person Phone		
Contact Person Email			Agency Name		
County		Circuit		Appellate	
Application Developer Name (Provide vendor name or designate In House)					

Change Information	
Type of Change	☐New Implementation ☐System Modification
Criticality of Change	☐High ☐Medium ☐Low
Change Title	
Description of Change	
Justification for Change	

Effect of not implementing the change	
User Group(s) affected by change	
Does the change affect the judiciary?	☐Yes ☐No If yes, has the change been approved by the chief judge or his/her designee?
Will the change require modifications to existing operating systems, databases, web services, or other system components?	☐Yes ☐No If yes, please describe how.
Will the change introduce new technology or tools?	☐Yes ☐No If yes, please describe how.
Proposed schedule for change	

Email completed form to Robin Wright at robin.wright@flcourts1.gov