

Supreme Court of Florida

No. AOSC02-40

IN RE: MANDATORY SUBMISSION OF ELECTRONIC
COPIES OF DOCUMENTS ON COMPUTER DISKETTE

ADMINISTRATIVE ORDER

WHEREAS documents filed in this Court, with limited exception, are public documents that the people and the press are entitled to copy; and

WHEREAS this Court is committed to providing copies of its public documents to the people and to the press at the least cost and the greatest speed; and

WHEREAS the Internet has revolutionized the distribution of public documents by allowing public agencies to post documents on the World-Wide Web easily and at minimal cost to the agencies, the people, and the press; and

WHEREAS the manual reproduction of public documents by the Clerk of Court and the Director of Public Information is not cost-efficient for the Court, the people, or the press; and

WHEREAS this Court has demonstrated the success of making public documents available on the Internet through a program in which attorneys have submitted their briefs on the merits and other important documents on diskette since March 1,

1999, which staff then have placed on the Court's Website since August 1, 2000; and

WHEREAS approximately twenty-five percent of current diskettes submitted to the Court in this program are infected with computer viruses, a level that is unacceptable; and

WHEREAS this Court recently amended Florida Rule of Judicial Administration 2.130 to require the Clerk of Court to place on the Court's website copies of all comments filed in rule amendment cases; and

WHEREAS the Justices now have determined that the interests of the people and the press would be better served if the filing of additional documents on diskette in a proper manner is mandatory, absent a showing of inability to comply; and

WHEREAS, with the exception of jurisdictional briefs, this is merely a codification of existing practice as these documents are currently requested in electronic form by the Court on a case by case basis;

NOW THEREFORE I, Harry Lee Anstead, Chief Justice of the Supreme Court of Florida, do hereby order:

1. Beginning December 1, 2002, all briefs on the merits, all briefs on jurisdiction, all pleadings filed in death warrant cases, all pleadings filed in Judicial Qualifications Commission cases, all referee reports in Florida Bar disciplinary cases, all transcripts in death penalty cases, all petitions requesting rule amendments

(including the proposed rules), all petitions requesting procedural rule form amendments (including the proposed forms), all comments in rules cases, all petitions and responses thereto in which the Court determines it will hold oral argument, and any other pleadings which the Court may later designate shall be filed with the Supreme Court of Florida in electronic form on a three and one-half inch computer diskette formatted for DOS, in addition to paper copies.

2. Every document filed on diskette shall be contained within separate single files in WordPerfect 5.1 format compatible in WordPerfect 10. No brief, writ, or motion shall be divided into multiple files. Documents drafted in Microsoft Word shall be saved to diskette in WordPerfect format. ASCII format is not acceptable. Because document summaries interfere with the proper indexing of computer files, they shall be omitted.

3. Diskettes submitted to the Court shall be scanned for viruses, and these eliminated, prior to submission.

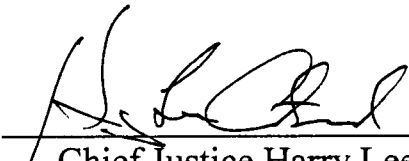
4. Any documents required to be submitted in electronic form may be rejected for filing by the Clerk of Court if the diskette does not conform to the requirements of this order.

5. The Clerk of Court shall not reject documents or diskettes if the person submitting them certifies an inability to comply with this order due to hardship. In

the absence of a certification, hardship may be presumed because the persons submitting the documents are pro se or because the documents are of a type the Clerk of Court normally would accept in handwritten form.

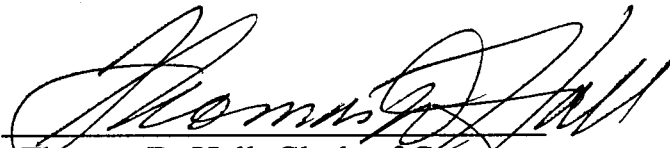
Copies of this order shall be forwarded to The Florida Bar News for publication in at least two issues of The Florida Bar News.

DONE AND ORDERED at Tallahassee, Florida, on this 13th day of November, 2002.



Chief Justice Harry Lee Anstead

ATTEST:



Thomas D. Hall, Clerk of Court

