

Supreme Court of Florida

No. AOSC13-29

IN RE: ELECTRONIC FILING IN THE SECOND DISTRICT COURT OF APPEAL VIA THE FLORIDA COURTS E-FILING PORTAL;
ELECTRONIC RECORDS ON APPEAL

ADMINISTRATIVE ORDER

Upon consideration of the status of electronic filing in the Florida Courts, and in compliance with this Court's Revised Opinion in *In Re: Amendments to the Florida Rules of Civil Procedure, the Florida Rules of Judicial Administration, the Florida Rules of Criminal Procedure, the Florida Probate Rules, the Florida Small Claims Rules, the Florida Rules of Juvenile Procedure, the Florida Rules of Appellate Procedure, and the Florida Family Law Rules of Procedure – Electronic Filing*, 102 So. 3d 451 (Fla. 2012) (the Revised Opinion), and this Court's previous Administrative Orders dated February 18, 2013, AOSC13-7, and March 25, 2013, AOSC13-12, use of the Florida Courts E-Filing Portal (Portal) will be expanded to include the Second District Court of Appeal (2d DCA) in accordance with the following schedule:

1. Effective 12:01 a.m., Monday, August 19, 2013, e-filing through the Portal at the 2d DCA will be optional for all attorneys.
2. Effective 12:01 a.m., Tuesday, October 1, 2013, e-filing through the Portal in the 2d DCA will be mandatory for all attorneys.
3. The provisions for e-filing through the Portal for the Supreme Court of Florida set forth in AOSC13-7 regarding the Florida Supreme Court are also applicable in the 2d DCA.
4. Non-attorney parties and attorneys not in good standing with The Florida Bar are currently not permitted to file through the Portal and must continue to file in paper format pursuant to the Florida Rules of Appellate Procedure and the Florida Rules of Judicial Administration; the district courts of appeal may dispense with the provision of additional copies of documents as prescribed by the rules of court for those required to file in paper format.
5. The requirement set forth in this Court's order in SC11-399, dated September 19, 2012, that an electronic record on appeal shall be provided to the appellate courts starting on July 1, 2013, is hereby revised. The clerks of the lower tribunals shall be required to provide the appellate courts an electronic record on appeal (eRecord) in accordance with standards adopted on January 31, 2013, by the Florida Courts Technology Commission no later than June 30, 2014. This directive includes the provision of eRecords in summary postconviction appeals if

a district court of appeal exercises the option for an indexed record as provided in Florida Rule of Appellate Procedure 9.141(b)(2)(B).

6. The 2d DCA is authorized in the interim to require an electronic record on appeal from the counties within its district in the eDCA format currently being ordered and used by the other district courts of appeal under such terms and at such time as the 2d DCA deems appropriate, which may include electronic records in summary postconviction appeals as described in the preceding paragraph.

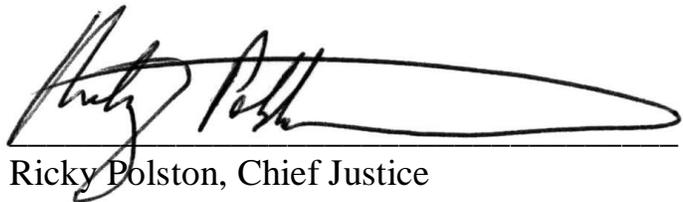
7. Prior to June 30, 2014, if clerks of the lower tribunals are ready to provide an electronic record in the eRecord format, with the agreement of the affected DCA and this Court, they may implement use of the eRecord format and discontinue use of the eDCA format.

8. Each county clerk of court shall no later than April 1, 2014, file with the Clerk of the Supreme Court a status report setting forth the Clerk's readiness to comply with the requirement set forth in this order that the clerk provide an electronic record on appeal in the eRecord standard no later than June 30, 2014.

9. Members of The Florida Bar are requested to remain diligent in keeping track of updated requirements regarding filing through the Portal. Additional Administrative Orders may issue as required and will be posted on this Court's web site at: <http://www.floridasupremecourt.org/clerk/adminorders/index.shtml>.

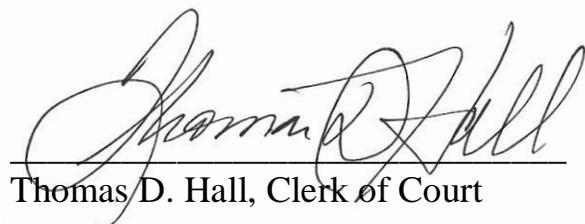
10. The Florida Courts Technology Commission and the Florida Courts E-Filing Authority Board should continue to review all issues related to implementation of the Portal and recommend such changes as may be necessary, including revisiting any issues addressed in the Revised Opinion, the order relating to these issues in SC11-399 or in this administrative order or other administrative orders relating to the implementation of e-filing or the court system transition from “paper” courts to “electronic” courts.

DONE AND ORDERED at Tallahassee, Florida, on June 24, 2013.



Ricky Polston, Chief Justice

ATTEST:



Thomas D. Hall, Clerk of Court

