

Service by E-Mail and E-Filing*

Service by E-Mail and E-Filing* in
Florida Courts, including 2012 and
2013 Rule Changes

Why do you care?

Mandatory Rules

* Prior versions of these slides focused on service by e-mail and only briefly touched on electronic filing, referred to as e-filing. This version of the slides includes a more in depth treatment of e-filing, while retaining most of the slides from the prior versions.

Opinions Issued by Florida Supreme Court

E-Mail Service: SC10-2101

Originally issued on June 21, 2012; amended on August 14, August 30, and October 9;
withdrawn and revised as of October 18, 2012

Electronic Filing: SC11-399

Originally issued on June 21, 2012; amended on August 14, and October 9;
withdrawn and revised as of October 18, 2012;
supplemented on November 28, 2012 and February 18, 2013

On July 5, 2012, an opinion was issued regarding electronic discovery, SC 11-1542. This e-subject is not addressed in these materials.

REVIEW

Opinion Issued
by
Florida Supreme Court
on
July 12, 2012

Computation of Time: SC10-2299

New Rule*: 2.514

Modified Rules: 1.090, 3.040, 4.090,
5.042, 6.350, 6.370, 8.085, 8.180,
8.240, 8.630, 9.420, 12.090

* The “2” series are Rules beginning with a “2” are from the Rules of Judicial Administration promulgated by the Supreme Court of Florida

REVIEW

Effective Dates

Service by E-Mail:

- **Mandatory** as of September 1, 2012,* for:
 - Trial court divisions:
 - Civil
 - Probate
 - Small Claims
 - Family
 - Appellate cases**
- **APPLIES TO ALL CASES, EVEN THOSE PENDING AS OF SEPTEMBER 1, 2012**

* The effective date announced by the court was July 1, 2012 in its opinion issued on June 21, 2012. A corrected opinion later changed July 1, 2012 to September 1, 2012 throughout the opinion.

** References to “appellate” includes the Supreme Court and the District Courts of Appeal, as well as the Circuit Court when sitting as an appellate court.

REVIEW

Effective Dates

Service by E-Mail:

- **Mandatory*** on October 1, 2013, for:
 - Trial court divisions
 - Criminal
 - Traffic
 - Juvenile
- **APPLIES TO ALL CASES, EVEN THOSE PENDING AS OF OCTOBER 1, 2013**

* Attorneys may voluntarily serve and receive documents by e-mail in these divisions for 13 months, from September 1, 2012, to October 1, 2013, if both attorneys agree.

REVIEW

Effective Dates

E-Filing: Civil (Non-Criminal)

- **Mandatory** as of April 1, 2013, for:
 - Trial court divisions:
 - Civil
 - Probate
 - Small Claims
 - Family
 - Appeals to Circuit Courts for types of cases listed above

REVIEW

Effective Dates

E-Filing: Criminal

- **Mandatory** as of October 1, 2013 for:
 - Trial court divisions:
 - Criminal
 - Traffic
 - Juvenile*
 - Appeals to Circuit Courts for types of cases listed above

* Juvenile includes juvenile delinquency proceedings, dependency and termination of parental rights proceedings, and proceedings for families and children in need of services.

Effective Dates

NEW

E-Filing: Supreme Court of Florida

- Voluntary as of February 27, 2013
- **Mandatory** as of April 1, 2013
- <http://www.floridasupremecourt.org/clerk/eportal.shtml>

NEW

Effective Dates

E-Filing: District Courts of Appeal

- **Mandatory:**
 - At Second DCA beginning July 22, 2013
 - At Third DCA beginning September 27, 2013
 - At Fourth DCA beginning October 31, 2013
 - At Fifth DCA beginning November 27, 2013
 - At First DCA beginning December 27, 2013

NEW

Effective Dates

Transmitting Record on Appeal

- **Mandatory** as of July 1, 2013
 - Any appellate clerk already accepting documents by electronic transmission may continue to do so
 - Clerks, not counsel.

Effective Dates

Summary of **Mandatory** Dates

- September 1, 2012: **Service by e-mail** for non-criminal trial court and appellate cases
- April 1, 2013: **E-filing** for non-criminal trial court and non-criminal appeals to circuit court
- April 1, 2013: **E-filing** for Supreme Court of Florida
- July 1, 2013: Clerks must transmit record electronically
- July 22, 2013: **E-filing** in Second District Court of Appeal
- September 27, 2013: **E-filing** in Third District Court of Appeal
- October 1, 2013: **Service by e-mail** for criminal trial court
- October 1, 2013: **E-filing** for criminal trial court and criminal appeals to circuit court
- October 31, 2013: **E-filing** in Fourth District Court of Appeal
- November 27, 2013: **E-filing** in Fifth District Court of Appeal
- December 27, 2013: **E-filing** in First District Court of Appeal

Service by E-Mail
versus
E-Filing

Service by E-Mail

E-Filing

**REVIEW
AND
NEW**

Signature of Attorneys and Parties

Rule 2.515(a)

The Rule As Changed During 2012

(a) Attorney Signature. Every pleading and other ~~paper~~ document of a party represented by an attorney shall be signed by at least 1 attorney of record in that attorney's individual name whose current record Florida Bar address, telephone number, including area code, primary e-mail address and secondary e-mail addresses, if any, and Florida Bar number shall be stated, and who shall be duly licensed to practice law in Florida or who shall have received permission to appear in the particular case as provided in rule 2.510. The attorney may be required by the court to give the address of, and to vouch for the attorney's authority to represent, the party. Except when otherwise specifically provided by an applicable rule or statute, pleadings need not be verified or accompanied by affidavit. The signature of an attorney shall constitute a certificate by the attorney that the attorney has read the pleading or other ~~paper~~ document; that to the best of the attorney's knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. If a pleading is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken and the action may proceed as though the pleading or other ~~paper~~ document had not been served.

NEW

Signature of Attorneys and Parties Rule 2.515(c)

The Rule As Changed During 2012

(c) Form of Signature.

(1) The signatures required on pleadings and ~~papers~~documents by subdivisions (a) and (b) of this rule may be:

(A) original signatures;

(B) original signatures that have been reproduced by electronic means, such as on electronically transmitted documents or photocopied documents; or

(C) electronic signatures using the “/s/,” “s/,” or “/s” formats by or at the direction of the person signing; or

~~(C)~~(D) any other signature format authorized by general law, so long as the clerk where the proceeding is pending has the capability of receiving and has obtained approval from the Supreme Court of Florida to accept pleadings and ~~papers~~documents with that signature format.

(2) [No Change]

Subdivision (c) was not changed in the initially released opinion (June 21, 2012) or either of the corrected opinions (June 26, 2012 and June 28, 2012). However, in the revised opinion issued on October 18, 2012, subdivision (c) was amended as set forth above. In addition to the recognition of the “s” and “/”, this change also allows the electronic signature to be made *at the direction of* the person signing. This change likely authorizes an attorney directing an assistant to affix an electronic signature.

REVIEW

Signature of Attorneys and Parties Rule 2.515

Considerations Regarding E-Mail Addresses – Page 1

Primary and Secondary E-Mail Addresses

- Primary e-mail address:
 - Primary e-mail address of attorney under Rule 2.515 need not be same as the business e-mail address as part of official record*
 - Best practice will be to provide the attorney's official bar e-mail address** as the primary Rule 2.515 e-mail address
 - Primary e-mail address should be the e-mail address of an attorney
- Secondary e-mail address(es):
 - Not required
 - A secondary e-mail address provided for a particular matter could be:
 - Standardized e-mail address for all filings for the law firm established solely for receiving service, i.e., Service@LairdALile.com
 - Similar to a mail clerk's desk prior to the e-world
 - An e-mail address for legal assistants, paralegals, Residents At Law, associates
 - The Client's e-mail address: possible, but not necessarily a good practice

* A business e-mail address is required to be provided as part of official bar record if the member has one.
Rule 1-3.3 of Rules Regulating The Florida Bar

** The Florida Bar requirement to provide a business e-mail address as part of an attorney's official bar record is distinct from the requirements under Rule 2.515. The e-mail address provided for the official bar record may or may not be the same as the primary or one of the secondary e-mail addresses for a particular proceeding.

REVIEW

Signature of Attorneys and Parties Rule 2.515

Considerations Regarding E-Mail Addresses – Page 2

Primary and Secondary E-Mail Addresses

- Both the primary e-mail address and the secondary e-mail address(es) can vary from one case to another
- If more than one attorney appears in a proceeding, the rules regarding e-mail addresses described above apply to each attorney
 - More than one attorney, typically at the same firm, may combine designation of e-mail addresses in one filing
- Designation for a law firm not permitted

**REVIEW
AND
NEW**

Signature of Attorneys and Parties Rule 2.515

Considerations Regarding Signatures

Format of the signature of the attorney

- Traditional format still acceptable
 - Print a hard copy, sign with a pen and scan the signed document
- New formats also acceptable
 - /s/, s/ and /s formats by or at the direction of the person signing
 - /s/ Laird A. Lile
 - s/ Laird A. Lile
 - /s Laird A. Lile
 - Changed in order entered on October 18, 2012
 - Permitted for counsel, not clients represented by counsel
 - I.e., Personal Representatives must sign certain filings (inventory, accountings, etc., as required by Rule 5.330
 - A party not represented (*pro se*) may sign using same format as counsel

REVIEW

Service of Pleadings and Documents

Rule 2.516

An Overview

- New Rule, modeled on former Rule of Civil Procedure 1.080
- Structure of Rule 2.516
 - (a) Service; When Required
 - (b) Service; How Made
 - (1) Service by Electronic Mail (“e-mail”)
 - (A) Service on Attorneys
 - (B) Exception to E-mail Service* on Attorneys
 - (C) Service on and by Parties Not Represented by an Attorney
 - (D) Time of Service
 - (E) Format of E-mail for Service
 - (2) Service by Other Means
 - (c) Service; Numerous Defendants
 - (d) Filing
 - (e) Filing Defined
 - (f) Certificate of Service
 - (g) Service by Clerk
 - (h) Service of Orders

* The type of service anticipated by this Rule is best referred to as “service by e-mail.” The term “E-Mail Service” is used interchangeably with this preferred term throughout the opinion and Rule 2.516. The term “e-service” is something different and may be offered through the e-portal at some point in the future.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(a) Service; When Required

- Service* required in accordance with this new rule nearly all of the time
- Limited Exceptions:
 - Unless the court otherwise orders (same as in former Rule 1.080)
 - Unless a statute or Supreme Court administrative order specifies a different means of service
 - Not required for applications for witness subpoenas (same as in former Rule 1.080)
 - Not required for documents served by formal notice (whether required or optional) or required to be served in the manner provided for service of formal notice (a concept carried over from special probate rules)
 - No service need be made on parties against whom a default has been entered, except that pleadings asserting new or additional claims against them must be served in the manner provided for service of summons (same as in former Rule 1.080)

* This subsection only requires service, not necessarily e-mail. The manner in which service is made is addressed in subsection(b).

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b) Service; How Made

(b)(1) Service by Electronic Mail (“e-mail”)

- Service to be made upon a party represented by an attorney must be made upon the attorney unless court orders otherwise. (Same as in former Rule 1.080)
- Service by e-mail is mandated for all documents required or permitted to be served on another party, unless this rule otherwise provides.
- A document may, in addition to being served by e-mail, be served by another means provided for in this rule.
 - Any different time limits and other provisions applicable to that other means of service control over the time limits established by the service by e-mail.
 - The other means of service must be in addition to, not in place of, service by e-mail.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(A) Service on Attorneys

- An attorney appearing in a proceeding must serve a designation of a primary e-mail address
 - Although not required, the best practice will be to utilize the attorney's official bar e-mail address as the designated primary e-mail address
 - Serve on everyone, including unrepresented beneficiaries, not just other counsel
- An attorney appearing in a proceeding may designate no more than two secondary e-mail addresses
 - These secondary e-mail addresses may vary from matter to matter. See discussion of Rule 2.515(a).

**REVIEW
AND
NEW**

Service of Pleadings and Documents

Rule 2.516

(b)(1)(A) Service on Attorneys

- The rules do not specify any particular format for the designations.
 - Best practice: Separate document for designating
 - Proposed change: “Upon appearing in a proceeding, an attorney must ~~serve a designation of~~ designate a primary ...”
- Changes in e-mail addresses should be handled in the same manner as changes in mailing addresses have been handled.
 - New Designation

**REVIEW
AND
NEW**

Service of Pleadings and Documents

Rule 2.516

Sample Form of Designation

[CASE CAPTION]

DESIGNATION OF E-MAIL ADDRESSES PURSUANT TO RULE 2.516

As attorney for Laird A. Lile, in his capacity as personal representative of the Estate of Jane Doe, pursuant to Rule 2.516, I designate the following e-mail addresses for the purpose of service of all documents required to be served upon me or my client in this proceeding:

Primary E-Mail Address: R@EstatesLaw.com

Secondary E-Mail Addresses: Assistant@EstatesLaw.com and Service@EstatesLaw.com

[SIGNATURE BLOCK and CERTIFICATE OF SERVICE]

If you are an unrepresented person (for example, an estate beneficiary) in this matter, and if you have not filed and served your own designation of e-mail address, you may not use e-mail for serving any court document. Rather, you must serve it by U.S. mail or some other authorized method provided in Florida Rule of Judicial Administration 2.516 to the physical address appearing above.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(A) Service on Attorneys

- All filings must include the primary and any secondary e-mail addresses designated by the attorney.
- An attorney who fails to designate an e-mail address does not avoid service by e-mail on that attorney.
 - Documents may be served on that attorney at the e-mail address on record with The Florida Bar.*
 - If an attorney in a proceeding fails to make an e-mail address available (i.e., none designated and none on record with The Florida Bar), a telephone call to the attorney with reference to these new rules should suffice. Hopefully court intervention will not be necessary.

* Select Find a Lawyer at www.FlaBar.org .

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(B) Exception to E-Mail Service on Attorneys

- Can an attorney avoid the new mandatory service by e-mail rules?
 - Yes, but only by court order, in each proceeding.
- The court may excuse an attorney from service by e-mail rules, if the attorney demonstrates that:
 - The attorney has no* e-mail account; and
 - The attorney lacks access to Internet at the attorney's office.
- If an exception is granted, then the attorney will neither be required to serve by e-mail nor receive service by e-mail.
- The other service rules (see 2.516(b)(2)) will then apply.

* The bar rules refer to a business e-mail account. This rule does not include the modifier of "business." Therefore, if an attorney has any e-mail account, the attorney may not be exempted from service by e-mail.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(B) Exception to E-Mail Service on Attorneys

- For an attorney attempting to avoid the mandatory service by e-mail rules, a motion will be required for each proceeding.
- The requirement is in the conjunctive – both parts must be met.
 - An attorney with any e-mail address, even a personal one, will not be permitted to avoid the new rules.
 - An attorney with any access to Internet at the attorney's office, even if only used sporadically, will not be permitted to avoid the new rules.
- The court is permitted, but not required, to excuse the attorney from service by e-mail rules.
- Of the 95,000+ members of The Florida Bar, very, very few are expected to qualify to seek this exception.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(C) Service on and by Parties Not Represented by Attorneys

- A party not represented by an attorney (“unrepresented party”) may, at the party’s election, participate in service by e-mail.
 - Optional, not mandatory.
- To participate in service by e-mail, an unrepresented party must serve a designation of a primary e-mail address.
 - The designation may include up to two secondary e-mail addresses.
- If an unrepresented party does not chose to participate in service by e-mail, then service (on and by) must be made by means other than e-mail (see subdivision (b)(2)).

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(D) Time of Service

- Service by e-mail is complete when the e-mail is sent.
 - “Sent” is not specifically defined in the rules.
 - From the sender’s viewpoint, the clicking of “Send” will likely be thought of as the time when the e-mail is considered “sent.”
 - Depending upon the sender’s computer system, clicking “Send” may or may not cause the e-mail to be transmitted to the Internet for delivery to the recipient.
 - Some systems include internal e-mail servers that may require internal processing before releasing the e-mail to the Internet for delivery to the recipient.
 - Attorneys using delayed sending or other e-mail management features do so at their own peril if the feature results in the e-mail not being sent as anticipated.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(D) Time of Service

- Sometimes the sender of an e-mail is notified* of a issue that has precluded the e-mail from reaching the intended recipient.
- If that occurs, the sender of the e-mail is required to immediately send another copy:
 - by e-mail or
 - by a means other than e-mail as authorized in this rule at subdivision (b)(2).
- Service by e-mail is treated as service by regular mail for purposes of computing time.
 - Including for purposes of allowing an additional 5 days.**

* Notice might be from the sender's system indicating a delay in delivery or a rejection notice from an Internet Service Provider (ISP). The source of the notice is not relevant. If the sender is on notice of a delivery issue, the sender is required to take action.

** Court rules (i.e., Rule 1.090(e) and 5.042(d)) have traditionally allowed an additional 5 days for a party to act after being served by mail. The 5 additional days is, effective October 1, 2012, provided for in Rule 2.514. See SC10-2299

**REVIEW
AND
NEW**

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

- The document served must be attached in a “pdf” format.*
 - PDF stands for “portable document format.”
 - Universally recognized format.
 - Originally proprietary format by Adobe Systems.
 - Since at least 2001, free readers of PDF documents available from Adobe.
 - Free writers now also available on the internet.
 - Most word processors now include a print to PDF function.
 - Most scanners default to creating a document in PDF.

* The rule alternatively permits service to be effected by a link to the document on a website maintained by a clerk. At this time, the portal does not offer this feature so any documents filed through the portal must be served by attaching a pdf.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

- The e-mail by which the document is served must be sent to all addresses designated by the attorney or party.
 - A single e-mail to all those being served is expected, instead of separate e-mails to each attorney or party.
- The subject line of the e-mail must:
 - Begin with “SERVICE OF COURT DOCUMENT”
 - All capital letters are required
 - Followed by the case number of the proceeding in which the document is being served
 - The format of the case number is not specified in the rule
 - A format utilized in local practice should be sufficient.
 - An alternative is the uniform case number (UCN)*. This number consists of 20 characters consisting of:
 - 2 digit numeric county designation (i.e., 01, 11, 67)
 - 4 digit numeric year in which case was opened (i.e., 2012)
 - 2 alpha code for court type (i.e., CA, CP, SC)
 - 6 digit sequential number assigned by the clerk
 - 6 characters available for use by clerks for internal management

* When e-filing through the e-portal, the UCN is required. The e-portal interface has been updated to include a simpler interface for completing the UCN. This format will likely become the preferred format as e-things continue to develop.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

- The body of the e-mail by which the document is served must identify:
 - The court in which the proceeding is pending.
 - The case number.*
 - The name of the initial party on each side of the case.
 - The title of each document served with that e-mail.
 - More than one document may be served in a single e-mail.
 - The sender's name and telephone number.

* The requirement for the case number is in addition to the requirement for the case number to also be in the subject line of the e-mail.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

- The document being served* may be signed using any of the /s/ formats: /s/, /s, or s/
 - However, the original document filed with the clerk must be signed “in accordance with the applicable rule of procedure.”
- An e-mail and attachment may not exceed 5 megabytes (5 MB)
 - If more than 5 MB** is to be served, then attachments must be served by separate e-mails, none of which exceeds 5 MB and all of which are numbered sequentially in the subject line.
 - Try compressing the attachments to reduce size.
 - If the size is in doubt, the sender could first save the e-mail and check the size in the draft folder.

* The size limitation applies to the size of the e-mail, not the size of an attachment to the e-mail.

** The size limitation applies to the size of the e-mail, not the size of an attachment to the e-mail.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

Summary of Format Requirements

- Each e-mail must be addressed to all e-mail addresses designated by each person being served.
- Only attach PDFs (until links within emails are possible).
- Subject line: SERVICE OF COURT DOCUMENT – followed by case number.
- Body: court; case number; the name of the initial party on each side; title of each attached document; sender's name and telephone number.
- 5 MB Limit on size of e-mail.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(1)(E) Format of E-Mail for Service

Example

- To: GAYoung@CarltonFields.com; EKPetitis@haliczzerpettis.com
- Attachment: 
- Subject: SERVICE OF COURT DOCUMENT 112012CA000070xxxxxx
- Body: Hi, Gwynne and Gene. Attached is the Defendant's Motion to Dismiss that I have filed in Coleman v. Cohen, 112012CA000070xxxxxx in the Circuit Court. You can reach me at my office number 239.649.7778.
Laird A. Lile

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(2) Service by Other Means

- In addition to serving by e-mail, a document may also be served by other means.
- Substance of this part of Rule 2.516 is from former Rule 1.080
- Service by other means will be utilized in two situations:
 - (i) When service by e-mail is not allowed:
 - Parties not represented by an attorney who have not designated an e-mail address.
 - An attorney who has obtained an order exempting from service by e-mail.
 - (ii) As an additional, or secondary, means of service.

REVIEW

Service of Pleadings and Documents

Rule 2.516

(b)(2) Service by Other Means

- Service by one of these other means in addition to service by e-mail might be beneficial to:
 - Shorten a response period.
 - For instance, service by hand or fax of a document that commences a period within which a response is required will shorten the response period by 5 days.
 - Eliminate dispute over receipt of the document by the intended recipient.
 - An attorney may wish to also mail a document (by a method using a return receipt) to an attorney who demonstrates a pattern of asserting documents served by e-mail are not received.

**REVIEW
AND
NEW**

Service of Pleadings and Documents

Rule 2.516

(c), (d), (e), and (f)

- The following subdivisions of Rule 2.516 are not changed from former Rule 1.080:
 - (c) Service; Numerous Defendants.
 - (d) Filing.
 - (e) Filing Defined.
- Subdivision (f) is similar to former Rule 1.080 and adds a reference to e-mail in the form Certificate of Service:

“I certify that a copy hereof has been furnished to (here insert name or names and addresses used for service) by (e-mail)(deliver)(mail)(fax) on (date).”

REVIEW

Service of Pleadings and Documents

Rule 2.516

(g) AS AMENDED ON AUGUST 30, 2012

- Subdivision (g) refers to service by clerks.

“(g) Service by Clerk. When the clerk is required to serve notices and other documents, the clerk may do so by e-mail as provided in subdivision (b)(1) or by any other method permitted under subdivision (b)(2). Service by a clerk is not required to be by e-mail.”

- E-mail is permissive, not required, when clerks serve.
- Amended subdivision (g) clarifies original intention for service by e-mail to be optional for clerks.

“[Subdivision (g) and (h)] authorize, but do not require, the clerks and the courts to utilize e-mail service if they are equipped to do so.”

REVIEW

Service of Pleadings and Documents

Rule 2.516

(h)

- Subdivision (h) refers to service by the court.
 - Most of (h) is from former Rule 1.080(h) .
 - One new sentence at the end of (h)(1):

“The court may serve any order or judgment by e-mail to all attorneys who have not been excused from e-mail service and to all parties not represented by an attorney who have designated an e-mail address for service.”

- E-mail is permissive, not required, for the court.
- Opinion clearly makes service by e-mail optional for clerks.

“[Subdivision (g) and (h)] authorize, but do not require, the clerks and the courts to utilize e-mail service if they are equipped to do so.”

**REVIEW
AND
NEW**

Practical Considerations – page 1

Rules 2.515 and 2.516

- Must the attorney who is serving the document personally send the e-mail by which service is effected?
 - Although not addressed in the rule, the answer should be no different than the answer to the question of whether the attorney must hand a document served by U.S. mail to the postperson.
- Must the attorney who is serving the document personally “sign” the document being filed?
 - The requirement for the attorney to “sign” is not dependent upon the manner of signing (i.e., traditional signing and then scanning or signing by typing an “s” with one or more “/”).
 - Ethics opinion 87-11 concludes a nonlawyer should not sign an attorney’s name. This conclusion should also apply to a certificate of service. Although not issued in an e-context, strict compliance with this opinion suggests only an attorney should type the /s/, s/, or /s.
 - However, *Hankins v. Blissett*, 475 So.2d 1303 (Fla. 3d DCA 1985) holds a pleading signed in the name of the attorney by the attorney’s authorized agent is a pleading signed by the attorney. *Trawick’s Florida Practice and Procedure* 6:13 (2012 ed.) So, a signature by an agent for the attorney may be legally sufficient but subject to professional discipline.
 - Except for electronic signatures, which may be made by someone at the direction of the person signing. See Rule 2.515(c)(1)(C).

REVIEW

Practical Considerations – page 2

Rules 2.515 and 2.516

- Can I automate the handling of e-mail that I receive with service of documents?
 - You could implement a rule in your e-mail program (i.e., Microsoft® Outlook) (See appendix 1.)
 - Test the rule once established.
- How can I manage e-mail addresses for matters with multiple attorneys and multiple e-mail addresses for those attorneys?
 - A group e-mail address could be established with all e-mail addresses for a particular matter. (See appendix 2.)
 - E-mails could then be sent to the group, instead of to the individual e-mail addresses.
 - When using the group e-mail address, consider expanding the list (by clicking on the “+” next to the group name) to prove the members of the group at the time being sent.

REVIEW

Practical Considerations – page 3

Rules 2.515 and 2.516

- Should a copy of the e-mail be sent to the judge or judicial assistant?
 - ONLY if you would copy the judge or judicial assistant with a paper filing, which presumably would be very unusual.
 - Even then some judges and judicial assistants are not accepting e-mails.
- How can I be sure the intended document is attached?
 - Open each document after attaching to the e-mail and prior to sending
 - Utilize naming protocols that are descriptive of the contents of the document.
 - Personal Representative Kelley's Motion for Reconsideration.pdf instead of csxrbzy42.pdf.
- On whom should the designations be served?
 - Rule 2.516(a) requires every document to be served (whether by e-mail or otherwise) on each party with limited exceptions:
 - Applications for witness subpoenas.
 - Documents served by formal notice or in manner provided for service of formal notice. (Rule 5.040)
 - In probate, an interested person (such as a beneficiary) is a party. (Rule 5.041)

REVIEW

Practical Considerations – page 4

Rules 2.515 and 2.516

Should party not represented by an attorney be encouraged to designate e-mail address?

- Simplify service by attorneys.
- Encourage extraneous communications.
- Must the Designation of E-Mail Addresses be e-filed, as well as served?
 - Yes. See Rule 2.516(d)
 - (d) Filing. All original documents must be filed with the court either before service or immediately thereafter, unless otherwise provided for by general law or other rules. ...
 - From Rule 1.080(d)
- Can the Designation of E-Mail Addresses be filed generically for all cases, perhaps by e-mail to all members of the local bar association?
 - NO!

REVIEW

List of Other Rules Changed Service by E-Mail

Conforming changes and changes to cross-references

- Rule 1.080
- Rule 1.170
- Rule 1.351
- Rule 1.410
- Rule 1.440
- Rule 1.442
- Rule 1.510
- Rule 1.630
- Rule 3.030
- Rule 3.070
- Rule 3.852
- Rule 5.030
- Rule 5.040
- Rule 5.041
- Rule 5.060
- Rule 5.120
- Rule 5.200
- Rule 5.340
- Rule 5.342
- Rule 5.350
- Rule 5.355
- Rule 5.360
- Rule 5.370
- Rule 5.380
- Rule 5.385
- Rule 5.386
- Rule 5.400
- Rule 5.401
- Rule 5.402
- Rule 5.403
- Rule 5.405
- Rule 5.406
- Rule 5.407
- Rule 5.430
- Rule 5.440
- Rule 5.460
- Rule 5.470
- Rule 5.475
- Rule 5.496
- Rule 5.498
- Rule 5.499
- Rule 5.510
- Rule 5.530
- Rule 5.620
- Rule 5.630
- Rule 5.650
- Rule 5.660
- Rule 5.670
- Rule 5.680
- Rule 5.690
- Rule 5.695
- Rule 5.696
- Rule 5.700
- Rule 6.370
- Rule 7.050
- Rule 7.080
- Rule 8.085
- Rule 8.225
- Rule 8.635
- Rule 8.903
- Rule 9.420
- Rule 12.040
- Rule 12.080
- Rule 12.090
- Rule 12.170
- Rule 12.285
- Rule 12.351
- Rule 12.410
- Rule 12.440
- Rule 12.510
- Rule 12.611
- Rule 12.615
- Rule 12.630

E-Filing

New and Changed Rules

SC11-399

- Rules with Significant Changes
 - 2.520 Documents
 - 2.525 Electronic Filing
- Many rules with conforming and minor changes

E-Filing

An Overview

- Rule 2.520 requires all documents filed in any court to be filed by electronic transmission as provided in rule 2.525.
- Rule 2.525 defines electronic transmission of documents to include filing through the centralized e-portal.
- Although not effective until April 1, 2013, for civil divisions, and October 1, 2013, for criminal divisions, the e-portal is available now.

NEW

E-Filing

Rule 2.520: Documents

An Overview

- (a) Electronic Filing Mandatory
- (b) Type and Size
- (c) Exhibits
- (d) Recording Space
- (e) Exceptions to Recording Space
- (f) Noncompliance

NEW

E-Filing Rule 2.520(a)

“(a) Electronic Filing Mandatory. All documents filed in any court shall be filed by electronic transmission in accordance with rule 2.525. “Documents” means pleadings, motions, petitions, memoranda, briefs, notices, exhibits, declarations, affidavits, orders, judgments, decrees, writs, opinions, and any other paper or writing submitted to a court.”

- New as of June 2012
- Mandates filing by electronic transmission
 - See rule 2.525 for definition of “electronic transmission of documents”

NEW

E-Filing Rule 2.520(b)

“(b) Type and Size. Documents subject to the exceptions set forth in rule 2.525(d) shall be filed on recycled paper measuring 8 ½ by 11 inches. ... All other documents filed by electronic transmission shall be filed in a format capable of being printed in a format consistent with the provisions of this rule.”

NEW

E-Filing Rule 2.520(c)

“(c) Exhibits. Any exhibit or attachment filed with pleadings or papers may be filed in its original size.”

This subdivision remains unchanged from prior to June 2012.

NEW

E-Filing Rule 2.520(d)

“(d) Recording Space. On all papers and documents prepared and filed by the court or by any party to a proceeding which are to be recorded in the public records of any county, including but not limited to final money judgments and notices of lis pendens, a 3-inch by 3-inch space at the top right-hand corner on the first page and a 1-inch by 3-inch space at the top right-hand corner on each subsequent page shall be left blank and reserved for use by the clerk of court.”

This subdivision remains unchanged from prior to June 2012.

This space will likely be used by the e-portal for time stamps.

NEW

E-Filing Rule 2.520(e)

“(e) Exceptions to Recording Space. Any papers or documents created by persons or entities over which the filing party has no control, including but not limited to wills, codicils, trusts, or other testamentary documents; documents prepared or executed by any public officer; documents prepared, executed, acknowledged, or proved outside of the State of Florida; or documents created by State or Federal government agencies, may be filed without the space required by this rule.”

This subdivision remains unchanged from prior to June 2012.

NEW

E-Filing Rule 2.520(f)

“(f) Noncompliance. No clerk of court shall refuse for filing any document or paper because of noncompliance with this rule. However, upon request of the clerk of court, noncomplying documents shall be resubmitted in accordance with this rule.”

This subdivision remains unchanged from prior to June 2012.

- Likely applied to the recycled content requirement in subdivision (b) and the recording space requirement in subdivision (d).

This subdivision should have application even in the e-filing regime.

E-Filing

Rule 2.525: Electronic Filing

An Overview

- (a) Definition (of Electronic transmission of documents)
- (b) Application
- (c) Documents Affected
- (d) Exceptions
- (e) Service
- (f) Administration
- (g) Accessibility

NEW

E-Filing

Rule 2.525(a): Definition

(a) Definition “Electronic transmission of documents” means the sending of information by electronic signals to, by or from a court or clerk, which when received can be transformed and stored or transmitted on paper, microfilm, magnetic storage device, optical imaging system, CD-ROM, flash drive, other electronic data storage system, server, case maintenance system (“CM”), electronic court filing (“ECF”) system, statewide or local electronic portal (“e-portal”), or other electronic record keeping system authorized by the supreme court in a format sufficient to communicate the information on the original document in a readable format. Electronic transmission of documents includes electronic mail (“e-mail”) and any internet-based transmission procedure, and may include procedures allowing for documents to be signed or verified by electronic means.

The reference to the e-portal and the last sentence (regarding e-mail)was added in June 2012.

NEW

E-Filing

Rule 2.525(b): Application

(b) Application. Any court or clerk may accept the electronic transmission of documents for filing and may send documents by electronic transmission after the clerk, together with input from the chief judge of the circuit, has obtained approval of procedures, programs, and standards for electronic filing from the supreme court (“ECF Procedures”). All ECF Procedures must comply with the then-current e-filing standards, as promulgated by the supreme court in Administrative Order No. AOSC09-30, or subsequent administrative order.

The last sentence (regarding ECF Procedures) was added in June 2012.

NEW

E-Filing

Rule 2.525(c): Documents Affected

- The affected documents are all documents that are court records, provided the clerk is ready.
- The official court record is a set of electronic documents, supplemented by documents not able to be stored electronically.
- The documents in the official court record are deemed originals for all purposes except as otherwise provided.
- Paper documents converted by the clerk can be recycled by the clerk.

NEW

E-Filing

Rule 2.525(d): Exceptions

- Paper documents and other submissions may only be manually submitted to the clerk or the court:
 - When the clerk cannot accept electronic filing.
 - When filed by any self-represented person unless ECF Procedures provide for a means for e-filing.
 - From attorneys excused from e-filing.
 - When submitting evidence or filing non-documentary materials.
 - When the filing exceeds 25 MB, in which case transmission may be by CD-ROM, flash drive or something similar.
 - When in open court, as permitted by the court.
 - When paper filing is permitted by any approved ECF Procedure.
 - If any court determines justice so requires.

NEW

E-Filing

Rule 2.525(e): Service

- Electronic transmission may be used by a court or clerk for the service of orders
- Any document electronically transmitted to a court or clerk must also be served on all parties and interested persons in accordance with the applicable rules of court.

NEW

E-Filing

Rule 2.525(f): Administration

- A clerk who has accepted an electronic transmission must:
 - provide access, including through the e-portal, during regular business hours and all other times practically feasible
 - accept documents up to 25 MB in size; and
 - accept filings in excess of 25 MB in size on storage devices such as CD-ROM or flash drive
- All fees or charges must be paid before filing any document by electronic transmission.
- The filing date for an electronically transmitted document is the date and time the filing is acknowledged by an electronic stamp or otherwise, as set forth in any ECF Procedures.

NEW

E-Filing

Rule 2.525(g): Accessibility

“(g) Accessibility. All documents transmitted in any electronic form under this rule must comply with the accessibility requirements of Florida Rule of Judicial Administration 2.526.”

- Rule 2.526 requires compliance with Americans with Disabilities laws and related state laws
- This subdivision remains unchanged from prior to June 2012.

E-Filing

Clerk Specific e-filing Systems

vs

Statewide e-Portal

DO IT!

E-Filing Statewide e-Portal

Access to the e-portal:
www.myflcourtagency.com

Welcome to the Florida Courts eFiling Portal

* User Name:

* Password:

[Register Now!](#)

[Forgot Password?](#)

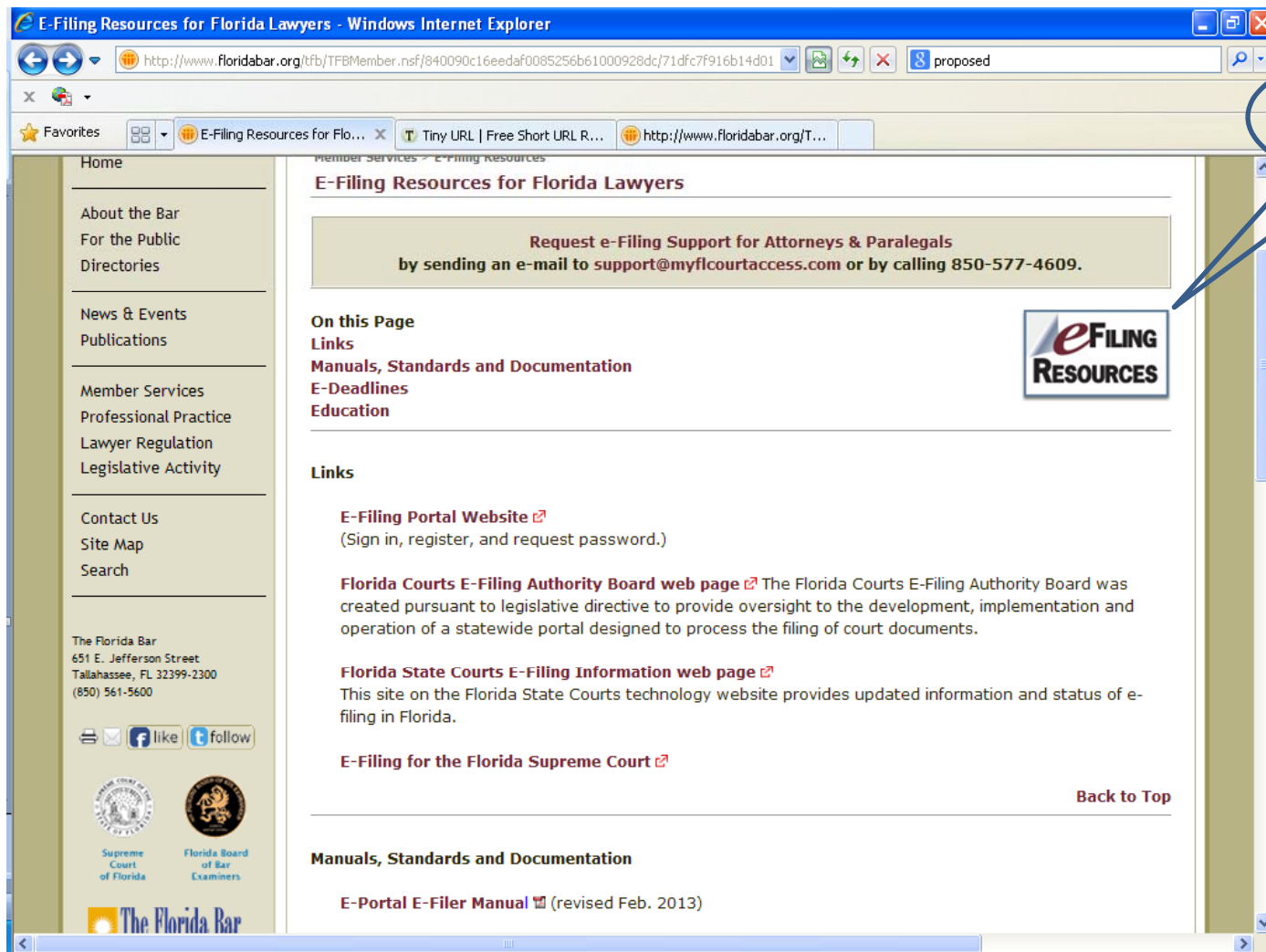


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E-Filing

Registration only by Members of The Florida Bar



E-Filing Pro Hac Vice

Steps Precedent to E-filing by Pro Hac Vice

- Obtain a *Pro Hac Vice* number from The Florida Bar
 - Motion to Appear Pro Hac Vice
 - \$250 fee
- Receive a PHV number
- Register with the e-portal

This process does not supplant the requirement of obtaining court approval prior to appearing *pro hac vice* in a particular proceeding.

[http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/1FFCC8D4AB958C8F85257B2D00551798/\\$FILE/ada%20notice.pdf?OpenElement](http://www.floridabar.org/TFB/TFBResources.nsf/Attachments/1FFCC8D4AB958C8F85257B2D00551798/$FILE/ada%20notice.pdf?OpenElement)

or

<http://tiny.cc/j7i2tw>

E-Filing Statewide e-Portal

Opening Screen
on the e-portal

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Existing Case | New Case | Simple E-File
My Appellate Court Filings

Account | Filing Options

Welcome - Laird A Life
Last signed in on - 03/07/2013 01:03:59 PM

My Trial Court Filings

* From (mm/dd/yyyy): 01/01/13 * To (mm/dd/yyyy): 03/09/2013 Refresh

Filing #	Case #	Clerk Case #	Status	County	Division	Submission Date	Completion Date/Remarks
677572	162009CP002410XXXXMA	9980132	Filed	Duval	Probate	01/30/2013 03:16:23 PM	01/31/2013 09:31:45 AM
646668	362012CP001085A001CH	362012CP001085A001CH	Filed	Lee	Probate	01/23/2013 02:16:47 PM	01/23/2013 03:52:05 PM
643345	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 04:29:51 PM	01/23/2013 03:09:44 PM
639962	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 10:00:13 AM	01/22/2013 02:42:12 PM
601103	112012CP0019350001XX	1605998	Filed	Collier	Probate	01/09/2013 03:29:52 PM	01/09/2013 04:17:51 PM
593287	112006CP0011070001XX	1514557	Filed	Collier	Probate	01/08/2013 11:00:03 AM	01/08/2013 11:23:32 AM

Change page: Previous 1 Next | Displaying page 1 of 1, items 1 to 6 of 6.

E-Filing Statewide e-Portal

New Case

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My Trial Court Filings

* From (mm/dd/yyyy): 01/01/13 * To (mm/dd/yyyy): 03/09/2013 Refresh

Filing #	Case #	Clerk Case #	Status	County	Division	Submission Date	Completion Date/Remarks
677572	162009CP002410XXXXMA	9980132	Filed	Duval	Probate	01/30/2013 03:16:23 PM	01/31/2013 09:31:45 AM
646668	362012CP001085A001CH	362012CP001085A001CH	Filed	Lee	Probate	01/23/2013 02:16:47 PM	01/23/2013 03:52:05 PM
643345	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 04:29:51 PM	01/23/2013 03:09:44 PM
639962	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 10:00:13 AM	01/22/2013 02:42:12 PM
601103	112012CP0019350001XX	1605998	Filed	Collier	Probate	01/09/2013 03:29:52 PM	01/09/2013 04:17:51 PM
593287	112006CP0011070001XX	1514557	Filed	Collier	Probate	01/08/2013 11:00:03 AM	01/08/2013 11:23:32 AM

Change page: Previous 1 Next | Displaying page 1 of 1, items 1 to 6 of 6.

E-Filing Statewide e-Portal

Case Information

New Case




Polk County
eFiling Portal

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Welcome - Laird A Lile
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New Case

Court Type: Trial	County: Polk	Division: Probate
Case #: New Case	Case Type: Probate / Formal Administration	Total Fee: \$400.00

[Case Information](#)
[Parties](#)
[Documents](#)
[Payments](#)
[Review And Submit](#)

All required fields on this screen are marked with an asterisk (*). When you have completed this screen, click NEXT to continue. Do not use your browser's arrow keys (upper left screen corner). For more information, click the Help link.

* Type Of Court

Trial

* County

Polk

* Division

Probate

* Case Type:

Probate

* Sub Type:

Formal Administration

Probate Information

* Proceeding Type of Case:

Probate Guardianship Trusts

#	Description	Amount
1	Filing fee	\$400.00

E-Filing Statewide e-Portal

Parties

New Case

New Case

Court Type: Trial

County: Polk

Division: Probate

Case #: New Case

Case Type: Probate / Formal Administration

Total Fee: \$400.00

Case Information

Parties

Documents

Payments

Review And Submit

All required fields on this screen are marked with an asterisk (*). When you have completed this screen, click NEXT to continue. Do not use your browser's arrow keys (upper left screen corner). For more information, click the Help link.

Decedent (Primary party - add first) is required.

Party #: New Party

Role:

Select

ID State/License #:

Select

Decedent (Primary party - add first)

Petitioner

Interested Parties

☐ Primary Party

☐ Filed On Behalf of

You must enter either person or organization name.

First	Middle	Last	Suffix	Gender	Race
* Person Name:					
OR Organization:					
Email Address:					
*CAUTION: This email address is not validated. Please ensure that you have entered the correct address.					
* Address:					
* City/ State/ Zip Code:		Select State			
Phone #:	Format: ###-###-####				
Service Options:	Not Served				

Save

Cancel

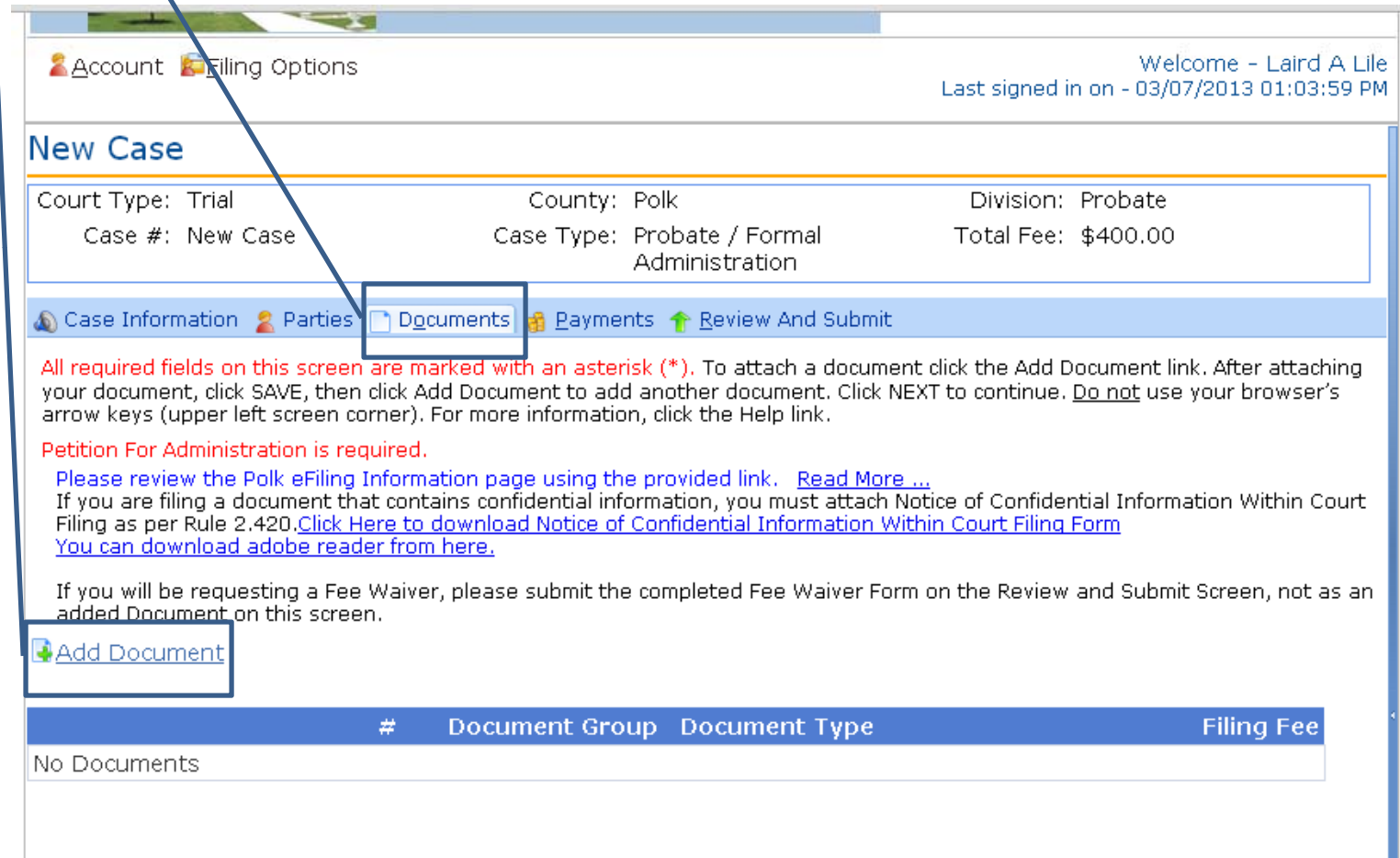
E-Things v6.2 by The Florida Bar© 2013

70

E-Filing Statewide e-Portal

Documents

New Case



Account Filing Options

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New Case

Court Type: Trial	County: Polk	Division: Probate
Case #: New Case	Case Type: Probate / Formal Administration	Total Fee: \$400.00

Case Information Parties **Documents** Payments Review And Submit

All required fields on this screen are marked with an asterisk (*). To attach a document click the Add Document link. After attaching your document, click SAVE, then click Add Document to add another document. Click NEXT to continue. Do not use your browser's arrow keys (upper left screen corner). For more information, click the Help link.

Petition For Administration is required.

Please review the Polk eFiling Information page using the provided link. [Read More ...](#)

If you are filing a document that contains confidential information, you must attach Notice of Confidential Information Within Court Filing as per Rule 2.420. [Click Here to download Notice of Confidential Information Within Court Filing Form](#)

[You can download adobe reader from here.](#)

If you will be requesting a Fee Waiver, please submit the completed Fee Waiver Form on the Review and Submit Screen, not as an added Document on this screen.

[Add Document](#)

#	Document Group	Document Type	Filing Fee
No Documents			

E-Filing Statewide e-Portal

Documents

New Case



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New Case

Court Type: Trial	County: Polk	Division: Probate
Case #: New Case	Case Type: Probate / Formal Administration	Total Fee: \$400.00

[Case Information](#)
[Parties](#)
[Documents](#)
[Payments](#)
[Review And Submit](#)

All required fields on this screen are marked with an asterisk (*). To attach a document click the Add Document link. After attaching your document, click SAVE, then click Add Document to add another document. Click NEXT to continue. Do not use your browser's arrow keys (upper left screen corner). For more information, click the Help link.

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[Add Document](#)

	#	Document Group	Document Type	Filing Fee
View Edit Remove	1	All	Petition For Administration	\$0.00
View Edit Remove	2	All	Oath Co-Pr/Design.Res Agent/Acceptance	\$0.00

Payment Choices:

E-Filing

New Case

Statewide e-Portal

ACH Bank Account

Credit Card

Account E-filing Options Welcome - Laird A Lile
Last signed in on - 03/07/2013 01:03:59 PM

New Case

Court Trial Type: New Case County: Polk Division: Probate
Case #: New Case Case Type: Probate / Formal Administration Total Fee: \$400.00

Case Information Parties Documents Payments Review And Submit

Select ONE payment option, then click NEXT to continue **Next**

Fields marked with an asterisk (*) are required.

Previously Saved Payments
You can select from a previously used payment or enter a new one. For a previously stored credit card you need to enter Card CVV

Saved Credit Cards

Credit Card Type

Credit Card Number CVV Payment Zip

Expiration Date Month Year

Memo

☐ Save Payment Information for Reuse

Saved Accounts

Check Routing Number

Checking Account Number

Name on Account

Account Type ☒ Checking ☐ Savings

There is a 3% statutory convenience fee for payments made via credit card. The statutory convenience fee for payments made via electronic check (direct debit from a bank account) is \$3.00.

Fee Information

#	Description	Amount
1	Filing fee	\$400.00
2	All Petition For Administration	\$0.00
3	All Oath Co-Pr/Design.Res Agent/Acceptance	\$0.00
Total Filing Fees:		\$400.00

E-Filing Statewide e-Portal

Review and Submit

New Case

The screenshot displays the 'Review and Submit' page of the Polk County eFiling Portal. At the top, the portal's header includes the Polk County logo and navigation links. The user is logged in as 'Laird A Lile'. The main section is titled 'New Case' and shows case details: Court Type: Trial, County: Polk, Division: Probate, Case #: New Case, Case Type: Probate / Formal Administration, and Total Fee: \$400.00. A navigation bar includes 'Case Information', 'Parties', 'Documents', and 'Review And Submit'. The 'Review Information shown below and select submit.' section contains a 'Submit' button. Below this, the 'Filer' information is listed: Name: Laird A Lile, Address: 3033 Riviera Drive Naples FL 34103, Email Address: LLile@LairdALile.com, and Phone Number: 239-649-7778. The 'Fee' section shows a table of filing fees: Filing fee (\$400.00), All Petition For Administration (\$0.00), and All Oath Co-Pr/Design, Res Agent/Acceptance (\$0.00). The total filing fees are \$400.00, and the statutory convenience fee is \$0.00, resulting in a total of \$400.00. A note states: 'There is a 3% statutory convenience fee for payments made via credit card. The statutory convenience fee for payments made via electronic check (direct debit from a bank account) is \$3.00.' The 'Payments' section shows the payment option as 'Credit Card/Account' with fields for Number, Expiration Date, and Name. The 'Parties' section shows a table with columns for #, Type, Primary Name, and Address, with one entry for 'No'. The 'Documents' section shows a table with columns for #, Document, and File, with two entries: 'All Petition For Administration' (C:\fakepath\Petition for Administration.pdf) and 'All Oath Co-Pr/Design, Res Agent/Acceptance' (C:\fakepath\Oath of PR, Designation of Resident Agent & Acceptance, Luciano Sr.pdf). A disclaimer at the bottom states: 'The attorney filing, or selecting and authorizing this filing (including all attachments), certifies that it contains no confidential or sensitive information, or that any such confidential or sensitive information has been properly protected by complying with the provisions of Rules 2.420 and 2.425, Florida Rules of Judicial Administration.' A 'Submit' button is located at the bottom right of the review section.

Polk County
eFiling Portal

Welcome - Laird A Lile
Last signed in on - 03/07/2013 01:03:59 PM

New Case

Court Type: Trial County: Polk Division: Probate
Case #: New Case Case Type: Probate / Formal Administration Total Fee: \$400.00

Case Information Parties Documents **Review And Submit**

Review Information shown below and select submit. **Submit**

Filer

Name: Laird A Lile
Address: 3033 Riviera Drive Naples FL 34103
Email Address: LLile@LairdALile.com
Phone Number: 239-649-7778

Fee

#	Description	Amount
1	Filing fee	\$400.00
2	All Petition For Administration	\$0.00
3	All Oath Co-Pr/Design, Res Agent/Acceptance	\$0.00
Total Filing Fees:		\$400.00
Statutory Convenience Fee:		\$0.00
Total:		\$400.00

There is a 3% statutory convenience fee for payments made via credit card. The statutory convenience fee for payments made via electronic check (direct debit from a bank account) is \$3.00.

Payments

Payment Option:
Credit Card/Account
Number:
Expiration Date:
Name:

Parties

#	Type	Primary Name	Address
1	No		

Documents

#	Document	File
1	All Petition For Administration	C:\fakepath\Petition for Administration.pdf
2	All Oath Co-Pr/Design, Res Agent/Acceptance	C:\fakepath\Oath of PR, Designation of Resident Agent & Acceptance, Luciano Sr.pdf

The attorney filing, or selecting and authorizing this filing (including all attachments), certifies that it contains no confidential or sensitive information, or that any such confidential or sensitive information has been properly protected by complying with the provisions of Rules 2.420 and 2.425, Florida Rules of Judicial Administration.

Review Information shown above and select submit. **Submit**

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Filings in Existing Case

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My Appellate Court Filings

Account | Filing Options

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Last signed in on - 03/07/2013 01:03:59 PM

My Trial Court Filings

* From (mm/dd/yyyy): 01/01/13 * To (mm/dd/yyyy): 03/09/2013 Refresh

Filing #	Case #	Clerk Case #	Status	County	Division	Submission Date	Completion Date/Remarks
677572	162009CP002410XXXXMA	9980132	Filed	Duval	Probate	01/30/2013 03:16:23 PM	01/31/2013 09:31:45 AM
646668	362012CP001085A001CH	362012CP001085A001CH	Filed	Lee	Probate	01/23/2013 02:16:47 PM	01/23/2013 03:52:05 PM
643345	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 04:29:51 PM	01/23/2013 03:09:44 PM
639962	112011CP0006770001XX	1529529	Filed	Collier	Probate	01/22/2013 10:00:13 AM	01/22/2013 02:42:12 PM
601103	112012CP0019350001XX	1605998	Filed	Collier	Probate	01/09/2013 03:29:52 PM	01/09/2013 04:17:51 PM
593287	112006CP0011070001XX	1514557	Filed	Collier	Probate	01/08/2013 11:00:03 AM	01/08/2013 11:23:32 AM

Change page: Previous 1 Next

Displaying page 1 of 1, items 1 to 6 of 6.

E-Filing Statewide e-Portal

Filings in Existing Case

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My Appellate Court Filings

Account | Filing Options | Welcome - Laird A Lile
Last signed in on - 03/07/2013 01:03:59 PM

File Subsequent Document(s) into an existing Case

Court Trial Type:	County:	Division:
Case #:	Case Type:	Total Fee:

Case Information | Parties | Documents | Payments | Review And Submit

All required fields on this screen are marked with an asterisk (*). When you have completed this screen, click NEXT to continue. Do not use your browser's arrow keys (upper left screen corner). For more information, click the Help link.

* Type Of Court: Trial | * County: Select | * Division: Select

Please enter values below and click search to locate your case. All required fields are marked with an asterisk (*).
Case year must be a valid 4 digit Year (Example 2012).
Sequence # must be 6 Digits or less. No Leading Zeros needed (Example 412).
You can enter 2 Character Court Type or select from the list. Only allowed court types will appear after selecting division.
Party Identifier is optional and if provided must be 4 characters.
Branch Location Identifier is optional and if provided must be 2 characters.

* Year: [] * Sequence #: [] * Court Type: []

Court Type Selection: []

Party Identifier: [] Branch Location: []

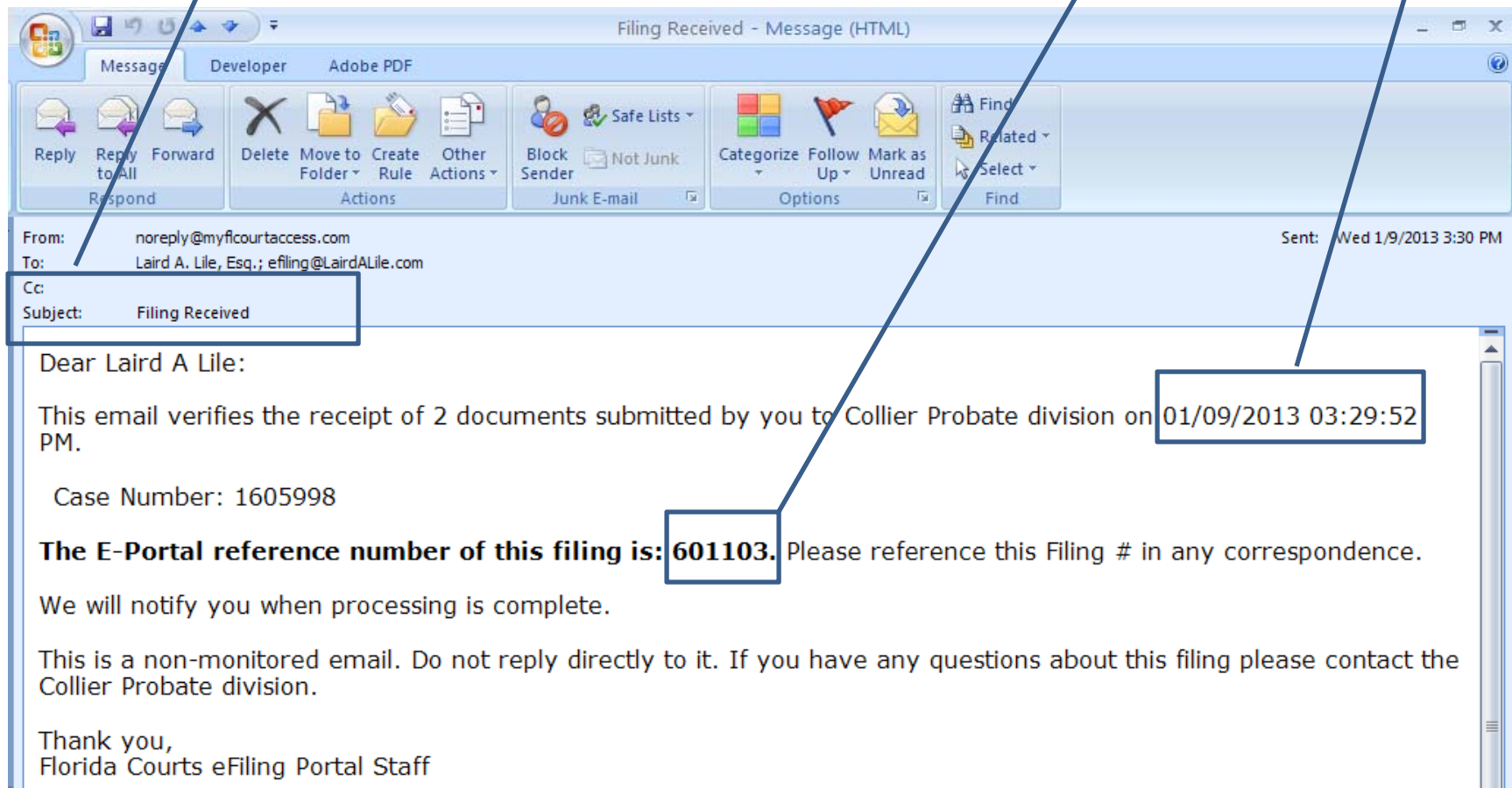
Search Clear

E-Filing Statewide e-Portal

Receipt from e-Portal

Unique filing number

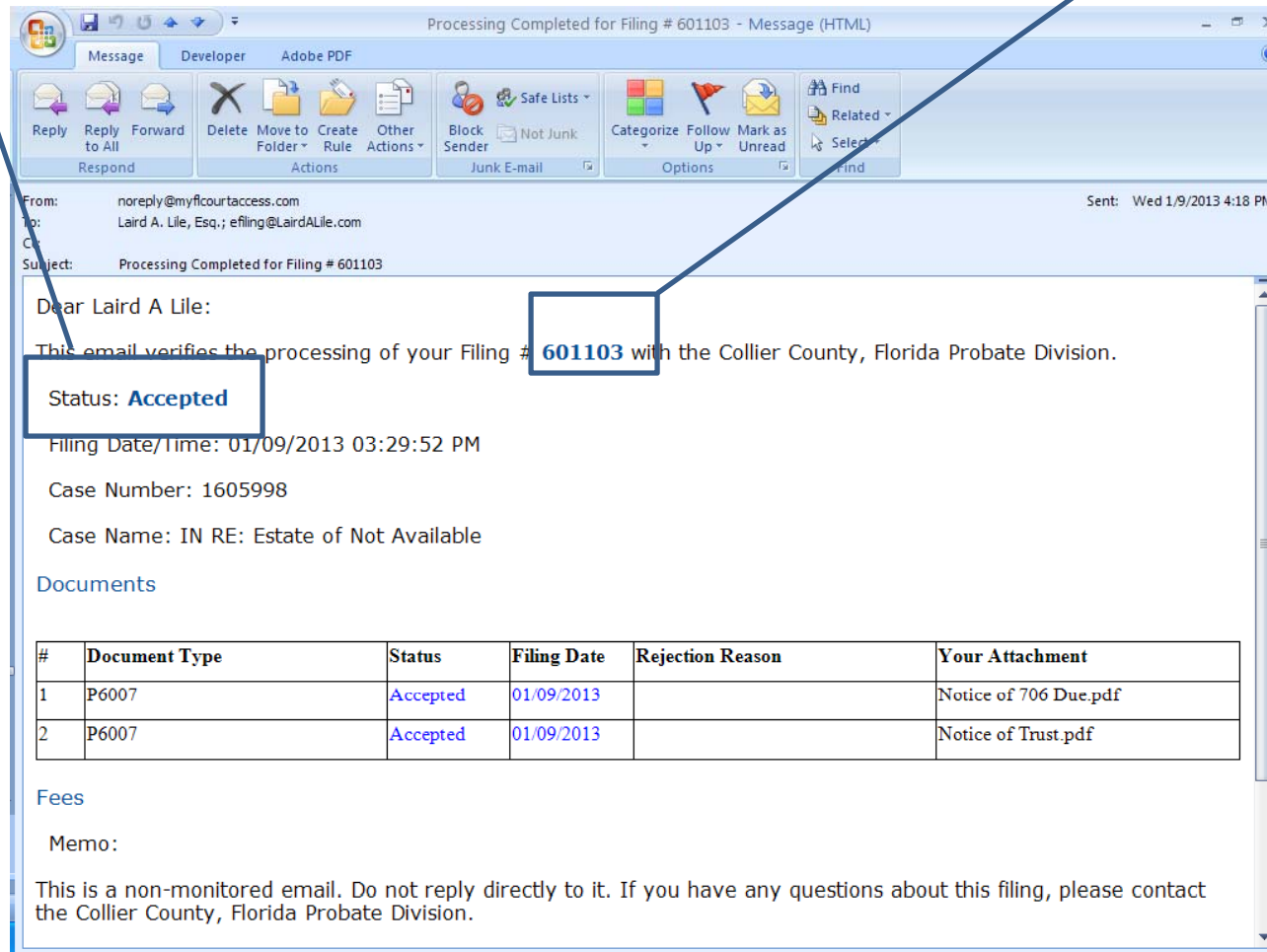
Time Stamp



E-Filing Statewide e-Portal

Acknowledgment from Clerk

Unique filing number



E-Filing

(Proposed) Ethics Opinion 12-2

“The Committee is of the opinion that a properly supervised nonlawyer may use the credentials of a lawyer to file documents via the E-Portal at that lawyer’s direction.”

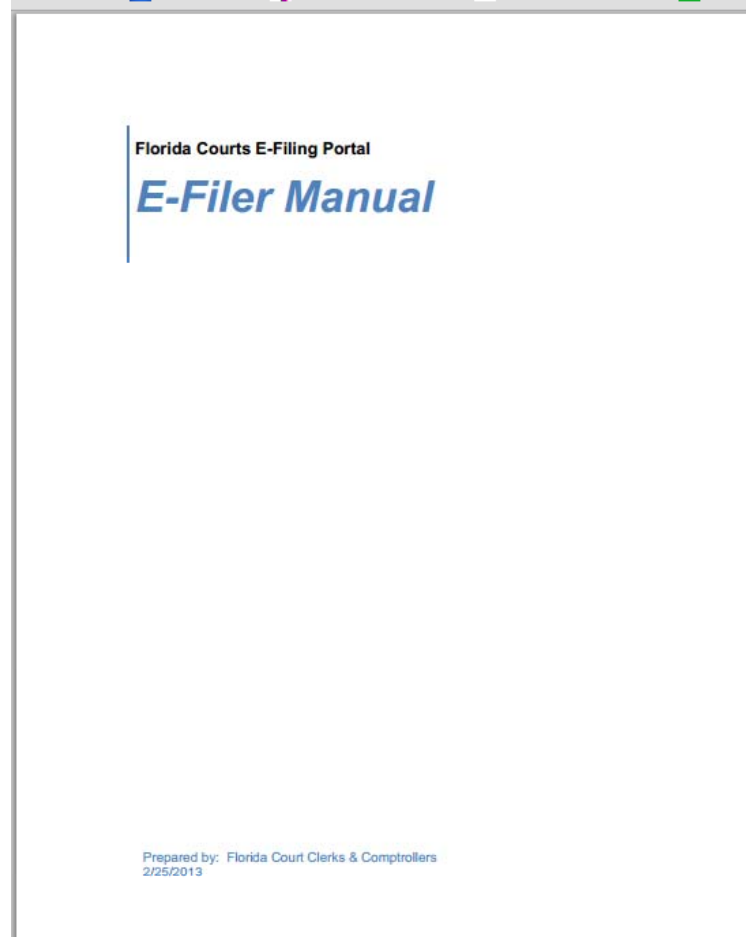
<https://www.floridabar.org/DIVCOM/JN/JNNews01.nsf/8c9f13012b96736985256aa900624829/8e882632953afd6f85257a910049d52d!OpenDocument>

or

<http://tiny.cc/kvj2tw>

E-Filing

Access to the e-Filer Documentation – 49 page manual
https://www.myflcourtaaccess.com/Docs/Filer_022013.pdf



E-Filing

Law Firm Account

http://www.flclerks.com/e-Filing_Authority/Resources/Manuals/Law_Firm_Administrator_Manual_revised_March_2013.pdf

Florida Courts E-Filing Portal

Law Firm Administrator Manual

Prepared by: Florida Court Clerks & Comptrollers
3/8/2013

E-Filing

Practical Considerations

Conclusion

Appendix 1: Slide 1 of 4

Outlook 2010 E-Mail Rules

Set up Outlook 2010 to copy incoming e-mail service messages to a special mail folder
(The original incoming e-mail will remain in your Inbox.)

by
Rohan Kelley

This must be performed on the computer of each person who may receive E-mail service

1. In your Microsoft Outlook 2010 program, click the “File” tab at the upper left above the “New E-mail” icon.
2. Click the last button “Manage Rules & Alerts.”
3. A Rules and Alerts panel opens. The E-mail Rules tab should be active. Click “New Rule” on the far left.
4. A Rules Wizard panel opens. In “Step 1: Select a template” under “Start from a blank rule” click “Apply rule on messages I receive.”
5. Still in Step 1: Under “Stay Organized” click the second item, “Move messages with specific words in the subject to a folder”
6. Still in the same Rules Wizard panel, in the “Step 2: Edit the rule description” area, click “specific words.”

Appendix 1: Slide 2 of 4

Outlook 2010 E-Mail Rules

7. A “Search Text” panel opens. In the field, “Specify words or phrases to search for in the subject:” type “SERVICE OF COURT” without the quote marks. (I suggest not including the word, “DOCUMENTS” in the phrase.) Be sure it’s spelled correctly! “Search Text” entries are not case sensitive.
8. Click Add. The typed words will appear in the lower “Search lists” panel. Then click OK.
9. Back in the Rules Wizard panel, in the lower window, “Step 2: Edit the rule description”, click “specified”.
10. A “Rules and Alerts” panel opens. Click the NEW button.
11. A “Create New Folder” panel opens. Under “Name” type the name of the folder you want to use to collect the e-mail service messages, for example, “(your initials) e-mail service received” (without the quote marks and typing your actual initials instead of “your initials”). For example, I typed “rk e-mail service received”.
12. Click OK. A new mail folder with the name you specified will appear in your Inbox as a subfolder. (It might be necessary to click the arrow head to the left of “Inbox” to see it.) Click OK.

Appendix 1: Slide 3 of 4

Outlook 2010 E-Mail Rules

13. In the Rules Wizard panel, click the “Next>” button.
14. In the Rules Wizard panel, under “Step 1: Select condition(s),” “with specific words in the subject” is checked. Also check “which has an attachment”. (You may need to scroll down to find it.) Click “Next>”
15. Under “Step 1: Select action(s)” the “stop processing more rules” and “move it to the specified folder” should be checked. Click “move it to the specified folder to deselect it and click “move a copy to the selected folder”.
16. In “Step 2: Edit the rule description”, click specified.
17. A Rules and Alerts panel will open. Click the new email folder you created above to highlight it. Then click “OK”
18. The Rules Wizard panel “Are there any exceptions” opens. Click “Next>”
19. A new Rules Wizard panel “Finish rule setup” opens. Be sure the “Turn on this rule” box is checked, then click “Finish”
20. In the Rules and Alerts panel Click OK. This concludes the setup.

Appendix 1: Slide 4 of 4

Outlook 2010 E-Mail Rules

Test this by sending yourself an e-mail conforming to the rule requirements. If the Outlook rule doesn't work properly, or you wish to change some of the rule parameters, it may be edited without starting over by clicking the Manage Rules & Alerts button under the File tab then clicking "Change Rule" in the Rules and Alerts panel and selecting "Edit Rule Settings".

IF THIS DOESN'T WORK FOR YOU, CONTACT YOUR REGULAR IT SUPPORT RESOURCE.
Neither the author of these e-mail rules, Rohan Kelley, nor The Florida Bar can provide support.

Appendix 2: Slide 1 of 3

Create An E-Mail Service Group in Outlook 2010

by
Rohan Kelley

(This used to be called a Distribution Group, and is now called a Contact Group in Outlook. This procedure also works with 2007 Outlook, although the steps are slightly different.)

This procedure will create a “contact” in you Outlook Contacts, with the name you assign, and will have included all the email addresses you add to the group. Use this to serve by email to the entire list with one address, that being simply the name you assign to the contact Group, for instance, “Serve Jones” if the Jones case is the one you’re preparing the list for. Follow these steps:

1. Open Outlook
2. On the Home tab, click “New Items”
3. Click “More Items”
4. Click Contact Group. An “Untitled – Contact Group” panel opens
5. In the Name field, type the name you wish to designate for this Contact Group, for example: “Service Jones” <Enter>

Appendix 2: Slide 2 of 3

Create An E-Mail Service Group in Outlook 2010

6. Click Add Members. Depending on whether the desired email address is in your Outlook Contacts, Outlook Address Book, or can be copied from an existing email, or you wish to enter the information manually:

a. You can add Members to the list by copying them from an existing email. Open the email. Copy the names in the TO: or From: list by first highlighting, then right clicking, then select Copy. Then follow the directions in b. or c. below and click in the “Members 

OR

b. You add a Member from your Outlook Contacts list, select “From Outlook Contacts”. Your Contacts list opens. Find the new member and double click. Click “OK”.

OR

c. You can add a Member from an Outlook Address Book, select “From Address Book”. Your Address book opens. Find the new member and double click. Click OK.

OR

d. If you want to add a Member by entering the information, click “New E-mail contact”. A panel opens. Fill in the Display name and E-mail address. Uncheck “Add to Contacts” if you do not want to add this name and email address to your Outlook Contacts list.

OR

You can use any combination of the above.

Appendix 2: Slide 3 of 3

Create An E-Mail Service Group in Outlook 2010

When you have added all desired members to the Contact Group, click “Save & Close”

I suggest you test the process by sending an email. Open a new email and address it to the new Contact Group. When you have typed the name in the To: field, after a moment it should display the name should display as underlined. This means Outlook recognizes the name. Send the message with the subject line “Test of email service group – please ignore”. If you get any “bounces” correct the email address in the Contact Group, as discussed below.

**IF THIS DOESN'T WORK FOR YOU, CONTACT YOUR REGULAR IT SUPPORT RESOURCE.
Neither the author of these e-mail rules, Rohan Kelley, nor The Florida Bar can provide support.**

Appendix 3: Slide 1 of 3

E-Mail Service Format: RJA 2.516(b)(1)(E)

by
Rohan Kelley

Rule 2.516 prescribes the information you must include in the email service message to meet the requirements of the rule. These requirements are 3. First, complete the “Subject:” line as indicated below. Second, paste the table into the e-mail message and complete the required information. Third, attach the PDF.

A fourth (non-rule) requirement is that after you check the email to be sure it is complete, click open each attachment to be sure it (a) opens properly and (b) it is the document intended to be served.

First: Type in the Subject line: SERVICE OF COURT DOCUMENT [***case number***]

Appendix 3: Slide 2 of 3

E-Mail Service Format: RJA 2.516(b)(1)(E)

by
Rohan Kelley

Second: Paste only the table below into the body of the email.

The following court documents are served by e-mail pursuant to rule 2.516(b)(1):¶ ☐		⌵
Court in which the matter is pending:☐	Circuit Court of &***** County, Florida☐	⌵
Case number:☐	&*****☐	⌵
Name of initial party on each side:☐	&*****☐	⌵
Title of each document served:☐	1.→ [type full title of document — not filename]¶ 2.→ [type full title of document — not filename]¶ 3.→ [type full title of document — not filename]☐	⌵

Third: Attach listed PDF document(s), AFTER BEING SIGNED BY THE ATTORNEY, to the e-mail.

Appendix 3: Slide 2 of 3

E-Mail Service Format: RJA 2.516(b)(1)(E)

by
Rohan Kelley

Fourth: After it is attached to the e-mail and before sending the e-mail, open each document to be sure it opens properly AND that it is the proper document.

Version Control

V6.2

The first several version of these materials, up to and including v5.2, focused primarily on service by e-mail. This version, v6.2, shifts the emphasis to e-filing. The substantive changes between v5.2 and v6.2 are many and are not practically summarized. In order to facilitate an efficient review, most of the slides static from v5.2 have been marked with a “Review” stamp.

Many individuals assisted in preparing these materials, including, but not necessarily limited to, Rohan Kelley; Terry Hill, Francine Walker, Susannah Lyle, Jodi Jennings, Ken Marvin, Lori Holcomb, and others at The Florida Bar; and Beth Allman, Melvin Cox and Levi Owens, staff at The Florida Court Clerks & Comptrollers. Any mistakes or omissions are the responsibility of Laird A. Lile.