



LAW, TECHNOLOGY, AND PRACTICE (LAW 616)

Miami Law
April 15, 2021

A REMINDER

Rules Regulating The Florida Bar

Rule 4-1.1: Competence.

“... an understanding of the benefits and risks ... of technology...”

Rule 6-10.3: Minimum Continuing Legal Education Standards.

“ ... 3 of the 33 credit hours must be in approved technology programs”

SOME CONTEXT

The Florida Bar: Discipline and Education

Florida Courts Technology Commission: Creature of rule: RJA 2.236

- ◆ Responsibility for overseeing, managing, and directing the development and use of technology within the judicial branch.
- ◆ Policy making versus operational responsibilities of the portal

A Few Tools in Florida

Florida Courts E-Filing Portal: <https://www.myflcourtaccess.com/>
<https://www.myflcourtaccess.com/authority/trainingvideos.html>

Legal Fuel: <https://www.legalfuel.com/>

Best Practices for Remote Court Proceedings:

<https://www.floridabar.org/the-florida-bar-news/technology-committee-releases-florida-bar-recommended-best-practices-guide-for-remote-court-proceedings/>

A Little Something to Get Your Attention

Emerald Coast Util. Auth. v. Bear Marcus Pointe, LLC, 227 So.3d 752 (Fla. 1st DCA 2017).

Counsel has a duty to have sufficient procedures and protocols in place to ensure timely notice of appealable orders. This includes use of an email spam filter with adequate safeguards and independent monitoring of the court's electronic docket. ... Odom & Barlow made no effort to do any of these things, reflecting an overall pattern of inaction and disengagement. In short, there was an absence of “any meaningful procedure in place that, if followed, would have avoided the unfortunate events that resulted in a significant judgment against” appellant. ... Accordingly, the trial court did not abuse its discretion in denying appellant's rule 1.540(b) motion.

The Florida E-Filing Portal

March 2021 Statistics

Recipients	Number
Submissions to Trial Court	1,789,393
Submissions to Department of Corrections	671
Submissions to District Courts of Appeal	11,061
Submissions to Florida Supreme Court	562
Submissions to Bureau of Vital Statistics	739
Submissions to Reception and Medical Center	204
Total E-Filing Submissions**	1,802,630
Total Individual Documents Submitted	2,689,662
Total Number of Pages	13,078,217

Category	Number
Average Submissions per Weekday**	80,119
Highest Volume Day: March 3, 2021	85,863
Peak # of filings in 1 hour: 3 pm**	9,389
New Case Initiation**	115,680
Portal Accounts	359,889
E-service Emails	1,930,049

Prior record for Average Submissions per Weekday was February 2021 with 78,112**
 November 16, 2020 has the highest volume day at 95,617 submissions
 Prior record for Peak Filing Hour Submissions was February 2021 at 9,176**
 Prior record for New Case Initiation was in January 2019 with 98,412**

