Supreme Court of Florida

TUESDAY, OCTOBER 9, 2012

CASE NOS.: SC10-2101; SC11-399

IN RE: AMENDMENTS TO THE FLORIDA RULES OF JUDICIAL ADMINISTRATION, THE FLORIDA RULES OF CIVIL PROCEDURE, THE FLORIDA RULES OF CRIMINAL PROCEDURE, THE FLORIDA PROBATE RULES, THE FLORIDA RULES OF TRAFFIC COURT, 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 - EMAIL SERVICE RULE

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

The Florida Public Defender Association (FPDA), The Florida Bar, Paul R. Regensdorf, and the Florida Courts Technology Commission (FCTC) have each filed motions for rehearing or clarification in Case No. SC10-2101. The Court previously entered orders granting FPDA's motion (filed in Case Nos. SC10-2101 and SC11-399), and granting FCTC's motion in part. The remaining motions and issues requiring clarification are addressed in this order. Full revised opinions will follow.

The Florida Bar's motion for clarification is hereby granted, as reflected in the revised opinion in Case No. SC10-2101.

Mr. Regensdorf's motion for clarification is hereby granted to the extent he requested that the Court amend Florida Rule of Civil Procedure 1.510(c) to delete

the reference to service by mail, clarify the format for electronic signatures, amend Florida Rule of Judicial Administration 2.515, and amend Florida Rule of Judicial Administration 2.516(b)(2)(F). All other requests for clarification are denied.

FCTC's motion for clarification is hereby granted, as reflected in the revised opinion in Case No. SC10-2101. FCTC's motion also identified several additional issues with the e-mail service procedures that it determined were not appropriate for consideration in this proceeding. Those issues are referred to the Rules of Judicial Administration Committee (RJA Committee), which is also working to identify portions of the e-mail service and e-filing rules that may require amendment.

Finally, because the Court recognizes that the new e-mail service and e-filing rules and procedures are a work in progress, any other suggestions to amend the rules should be submitted to the RJA Committee for consideration. The Committee should consider any suggested revisions under its fast-track procedures, and expeditiously submit an out-of-cycle report with any proposed amendments that it determines are warranted. The Court will consider the report under its fast-track procedures. Should the Court receive any further suggestions to revise the rules that were not submitted to the RJA Committee, the Clerk will refer them to the Committee for expedited consideration. See Fla. R. Jud. Admin. 2.140(a).

POLSTON, C.J., PARIENTE, LEWIS, QUINCE, CANADY, LABARGA, and PERRY, JJ., concur.

A True Copy
Test:

Thomas D. Hall
Clerk, Supreme Court

vm
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