

CHARLOTTE COUNTY CRIMINAL **ELECTRONIC SUBMISSION OF PROPOSED ORDERS** **TO JUDGE LUX**

All documents must be submitted through the E-filing Portal at:

<https://www.myflcourtaccess.com/default.aspx>

This document contains detailed instructions on submitting proposed orders electronically to Judge Lux for the Charlotte County Criminal cases.

BASIC/GENERAL RULES

1. ALL SUPPORTING DOCUMENTS MUST BE VIEWABLE PRIOR TO SENDING THE PROPOSED ORDER (NO EXCEPTIONS)

Verify the assigned Judge to the case with Clerk's office. To preserve the efficiency of the Court's workflow, please immediately submit your supporting documents directly to the Clerk's E-filing system. In most cases this will take no more than 2-3 business days for the clerk to process the document and make it viewable, but in some cases a longer delay will be necessary. **Do not send the Proposed Order until the supporting document(s) are viewable on the Clerk's website.**

2. THE E-FILING PROCESS AND CLERK ACCEPTANCE OF E-FILED DOCUMENTS

When you file a document through the Clerk's E-filing portal, the document is not viewable to a user of the system (including attorneys, judges, and judicial assistants) until several steps occur. The attorney's receipt acknowledgment by the E-filing portal only confirms that the Portal has received the document and that it is located on their file server. The Portal must then transfer the electronic document to the Clerk's Office which must then transfer the file to the Clerk's internal case maintenance system. Finally, the Clerk must formally accept the document into the Clerk's case maintenance software to make the document viewable to users. The E-filing rules give clerks three (3) days to complete those steps. Additional days may be required if the document does not comply with E-filing rules. Please **wait until YOU can view the recently filed supporting document(s) on the Clerk's website** before you E-file the proposed order to the Judge.

3. CONTACT INFO

For ALL questions regarding Judge Lux's procedures, you may contact his Judicial Assistant, Jen at JOliva@ca.cjis20.org or by calling (941) 505-4826

For ALL Clerk / Benchmark / Court Records related issued **ONLY**: You may contact the Clerk's Office Court Services Manager, at CriminalCourts@CharlotteClerk.com or call (941) 833-3048

ELECTRONIC SUBMISSION OF PROPOSED ORDERS:

1. DOCUMENT FORMAT:

All electronically submitted proposed orders **MUST** be submitted to the E-filing portal utilizing recent versions of Microsoft Word (Versions from 2003 and later with a ".docx" file type). No other formats will be accepted at this time. ".RTF" files are not acceptable, and if your office uses WordPerfect, you can convert the WP files to Word files, but if your WP program has not been upgraded for many years, the version of Word that is produced may not be compatible with the judicial software that must process the proposed order.

2. FORM/TEMPLATE MODIFICATIONS:

All proposed orders **MUST** be stripped of the following information at the bottom/end of the document:

- Any reference to the date (Please keep the language "Done and Ordered")
- Judge's Signature Line and Judge's Name
- Certificate of Service

The judicial software will insert the Judge's signature electronically with a date/time stamp included in the signature as well as the electronic certificate of service downloaded from the E-filing Portal at the time the judicial software is processing the order.

All proposed orders requiring the Clerk to provide certified copies must include language in the proposed order directing the Clerk to furnish them.

3. **DESIGNATION OF
E-MAIL ADDRESS
(PRO SE)**

Counsel are encouraged to request that pro se litigants and unrepresented interested parties who must be served with the orders agree to receive their copies by E-service via the E-filing Portal. “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.” Rule 2.516(h)(1), Fla.R.Jud.P. Reducing the number of mailed hard copies that must be physically served will save time and money for law firms and the court.

The procedure for serving by Portal E-service parties not represented by attorney is set forth in Rule 2.516(b)(1)(C), Fla.R.Jud.P. which provides “any party not represented by an attorney may serve a designation of a primary e-mail address and also may designate no more than two secondary e-mail addresses to which service must be directed in that proceeding by the means provided in subdivision (b)(1) of this rule. If a party not represented by an attorney does not designate an e-mail address for service in a proceeding, service on and by that party must be by means provided in subdivision (b)(2) of this rule.”

4. **NO DESIGNATION
E-MAIL ADDRESS**

In cases where an unrepresented party (pro se) or interested person has not designated an e-mail address pursuant to the Rule, **the prevailing party shall add language to the Order that they shall furnish the Pro Se party/interested party with a signed copy of the Order.**

5. **PRESERVE EXISTING
FORMS**

It is recommended that for the time being you preserve your forms/templates for creating form orders for hard copy submission as you have submitted them in the past. It is recommended that you create new versions of your older forms/templates that are modified as outlined above for E-filing only. In the event that there is a computer outage at any of the several transmission nodes or networks that must be working in order for this process to work, you will retain the option to return to the previous practice of paper submission and continue functioning with limited interruption of service.

6. **WHERE TO SEND E-MAILS** All documents should be submitted through the E-filing Portal. Please verify the Judge to the case with the Clerk's Office.
7. **SUPPORTING DOCUMENTS MUST BE SUBMITTED TO CLERK FIRST** Submit your stipulations and motions **DIRECTLY** to the Clerk's E-filing system. Verify the assigned Judge to the case with the Clerk's Office. In most cases this will take no more than 2-3 business days for the Clerk to process the document and make it viewable, but in some cases a longer delay will be necessary.
8. **COPY OPPOSING COUNSEL WITH THE PROPOSED ORDER** Copy opposing counsel with the proposed order and Pro Se parties/interested persons who must be served and who have designated an e-mail address (or by mail if there is no designated e-mail address).

PROPOSED ORDERS SHOULD NOW BE SUBMITTED VIA

<https://www.myflcourtaccess.com/default.aspx>

If you are having problems with e-filing, please visit

<https://www.myflcourtaccess.com/Common/UIPages/Contactus.aspx>

If you need assistance with e-filing, please visit

<https://www.youtube.com/user/FLCrtsEFilingPortal>

<https://www.myflcourtaccess.com/authority/trainingvideos.html>

<https://www.myflcourtaccess.com/authority/trainingmanuals.html>

contact 850-577-4609 to request training