

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: PROCEDURES FOR ENSURING THE SECURE
EXCHANGE OF CIRCUIT COURT SENTENCING
MODIFICATION ORDERS AND VERIFICATION
FORMS BETWEEN THE COURT AND CLERKS

ADMINISTRATIVE
ORDER
NO. 3,299

LEE CO. FLORIDA
CLERK OF COURTS
D.C.

JUN 02 2014

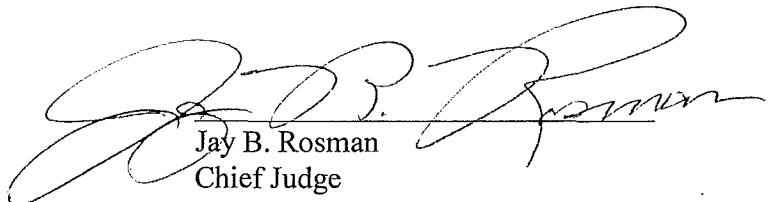
FILED

WHEREAS, on March 17, 2014, the Supreme Court of Florida issued Administrative Order No. AOSC14-18, In re: Security of a Circuit Court Order Modifying Sentence of Person in State Correctional Facility or Detention Facility; and

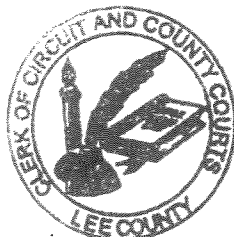
WHEREAS, paragraph 1.C. of Administrative Order No. AOSC14-18 provides that “[t]he chief judge and the clerk of court shall establish a secure process for the exchange of modification orders in paper format and for the exchange of court verification forms or other documents related to modification orders;”

By the authority vested in the Chief Judge pursuant to Fla. R. Jud. Admin. 2.215, it is ORDERED that the procedures established by the Court and Clerk of Courts of each of the five counties within the Twentieth Judicial Circuit so as to ensure a secure process for the exchange of paper modification orders, verification forms, and other documents related to modification orders, are hereby memorialized by Attachments A through E included herein.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida, this 2nd day of June, 2014.


Jay B. Rosman
Chief Judge

History: I certify this document to be a true and correct copy of the record on file in my office, Linda Doggett, Clerk Circuit/County Court, Lee County, FL
Dated: 6-2-14
By: AM
Deputy Clerk



STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD
This 2 Day of JUNE 2014 Recorded in CIRCUIT
Book 58 Page 51-56 and Record Verified.
LINDA DOGGETT By AM
Clerk Circuit Court Deputy Clerk

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- LEE COUNTY -

PROCEDURES FOR SECURE EXCHANGE OF PAPER CIRCUIT
COURT SENTENCING MODIFICATION ORDERS AND
VERIFICATION FORMS BETWEEN THE COURT AND CLERKS

1. Original signed orders, or other court documents requiring judicial signatures, are transmitted for filing from Judicial Offices to the Lee Clerk's Office by having Judicial staff place those orders, or other court documents, in out-boxes located within Judicial secured areas un-accessible to the public, and are picked up regularly by assigned Clerk staff with approved access to Judicial secured areas.
2. The Lee Clerk will only accept and process orders that are:
 - a. Signed in open court and received by Clerk staff directly from the Judge;
 - b. Orders picked up by Clerk staff from the Judicial secured areas as described above in Paragraph 1; or
 - c. Hand-delivered directly by a known Judicial Assistant to Clerk staff.
3. The Lee Clerk will NOT accept original signed orders, or other court documents requiring judicial signatures, delivered to the Clerk's office or to Clerk staff by an attorney or by any other means outside of the parameters set forth herein, including U.S Mail or inter-office mail.
4. Receipt / Processing of Order:
 - a. If an Order is received by the Clerk with a Court Verification Form, the documents will be scanned and docketed to the Clerk's Case Management System.
 - b. If an Order is received without the Clerk Verification Form, the Clerk will create one and send it via email to Court Administration for judicial signature. Once the document has been signed by the appropriate judge, the form will be picked up by assigned Clerk staff from the designated secured judicial area. The documents will then be scanned and docketed to the Clerk's Case Management System.
 - c. At this time, there is no ability for Judges to submit original signed orders or other court documents through the secure e-filing portal. At such time as the submission of signed orders becomes technologically available, such submissions to the Clerk shall also be deemed an acceptable and secure method of transmission.
5. Distribution of Order
 - a. A copy of the order, and when applicable, Court Verification Form will be sent to the listed parties within the Certificate of Service, via a secured electronic method or via U.S Mail.

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- COLLIER COUNTY -

PROCEDURES FOR SECURE EXCHANGE OF PAPER CIRCUIT COURT
SENTENCING MODIFICATION ORDERS AND VERIFICATION FORMS
BETWEEN THE COURT AND CLERKS

1. Original signed orders, or other court documents requiring judicial signatures, are transmitted for filing from Judicial Offices to the Collier Clerk's Office by having Judicial staff place those orders, or other court documents, in out-boxes located within Judicial secured areas un-accessible to the public, and are picked up regularly by assigned Clerk staff with approved access to Judicial secured areas.
2. The Collier Clerk will only accept for filing orders that are:
 - a. Signed in open court and received by Clerk staff directly from the Judge;
 - b. Orders picked up by Clerk staff from the Judicial secured areas as described above in Paragraph 1; or
 - c. Hand-delivered directly by a known Judicial Assistant to Clerk staff.
3. The Collier Clerk will NOT accept original signed orders, or other court documents requiring judicial signatures, delivered to the Clerk's office or to Clerk staff by an attorney or by any other means outside of the parameters set forth herein.
4. To the extent that there may be unique situations in which an original signed order, or other court document requiring a judicial signature, must be transmitted by mail, (i.e. a Judge from another county presiding over a Collier case and submitting to the Collier Clerk an original signed order on a matter over with the non-Collier Judge reserved ruling), Judicial staff and Clerk staff shall communicate appropriately so as to ensure the validity of the order and the circumstances requiring transmittal outside of the parameters set forth herein.
5. At this time, there is no ability for Judges to submit original signed orders or other court documents through the secure e-filing portal. At such time as the submission of signed orders and other court documents through the secure e-filing portal becomes technologically available, such submissions to the Clerk shall also be deemed an acceptable and secure method of transmission.

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- CHARLOTTE COUNTY -

PROCEDURES FOR SECURE EXCHANGE OF PAPER CIRCUIT COURT
SENTENCING MODIFICATION ORDERS AND VERIFICATION FORMS
BETWEEN THE COURT AND CLERKS

In response to Florida Supreme Court Administrative Order AOC14-18, the Charlotte County Clerk of Court has instituted the following procedures.

1. Paper Orders:
 - A. Sentence modification orders or court minute forms signed by the Judge in court and orders signed in chambers shall be maintained by the court clerk who shall provide a Court Verification Form (CVF) to the Judge for signature. The CVF and order/minutes shall be maintained together and in the control of the clerk until the clerk returns to the secure criminal division offices.
 - B. The forms will be reviewed by a criminal division supervisor.
 - C. If the sentence modification is for a Charlotte County Jail inmate, the certified forms are hand delivered to the jail by a clerk courier.
 - D. If the sentence modification is for a DOC inmate, the certified forms are sent to the DOC at their Tallahassee office. The DOC normally calls the Judge to confirm the authenticity of the forms.
 - E. Both the DOC and County jail personnel have access to the clerk's case maintenance system.
2. Electronic Transmission:
 - A. Until an in-court processing system is operational, sentence modification orders will come to the clerk in paper form.
 - B. When an order is received, the clerk will send a CVF to the Judge for signature.
 - C. When the CVF is returned, a supervisor will review the forms prior to forwarding to the appropriate party as per paragraph D above.
3. Oral Orders:
 - A. The Judge signs the court minutes and CVF in court and the process for paper orders above proceeds.

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- HENDRY COUNTY -

PROCEDURES FOR SECURE EXCHANGE OF PAPER CIRCUIT COURT
SENTENCING MODIFICATION ORDERS AND VERIFICATION FORMS
BETWEEN THE COURT AND CLERKS

1. Original signed orders, or other court documents requiring judicial signatures, are transmitted for filing from Judicial Offices to the Hendry Clerk's Office by having them hand-delivered by known Judicial staff directly to known Clerk staff or by having known Clerk staff pick them up directly from known Judicial staff. Original signed orders, or other court documents requiring judicial signatures, are never left in unattended areas that may be accessible to the public.
2. The Hendry Clerk will only accept for filing orders that are:
 - a. Signed in open court and received by Clerk staff directly from the Judge; or
 - b. Orders transmitted directly between Judicial staff and Clerk staff as described above in Paragraph 1.
3. The Hendry Clerk will NOT accept original signed orders, or other court documents requiring judicial signatures, delivered to the Clerk's office or to Clerk staff by an attorney or by any other means outside of the parameters set forth herein.
4. To the extent that there may be unique situations in which an original signed order, or other court document requiring a judicial signature, must be transmitted by mail, (i.e. a Judge from another county presiding over a Hendry case and submitting to the Hendry Clerk an original signed order on a matter over with the non-Hendry Judge reserved ruling), Judicial staff and Clerk staff shall communicate appropriately so as to ensure the validity of the order and the circumstances requiring transmittal outside of the parameters set forth herein.
5. At this time, there is no ability for Judges to submit original signed orders or other court documents through the secure e-filing portal. At such time as the submission of signed orders and other court documents through the secure e-filing portal becomes technologically available, such submissions to the Clerk shall also be deemed an acceptable and secure method of transmission.

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- GLADES COUNTY -

PROCEDURES FOR SECURE EXCHANGE OF PAPER CIRCUIT COURT
SENTENCING MODIFICATION ORDERS AND VERIFICATION FORMS
BETWEEN THE COURT AND CLERKS

1. Original signed orders, or other court documents requiring judicial signatures, are transmitted for filing from Judicial Offices to the Glades Clerk's Office by having them hand-delivered by known Judicial staff directly to known Clerk staff or by having known Clerk staff pick them up directly from known Judicial staff. Original signed orders, or other court documents requiring judicial signatures, are never left in unattended areas that may be accessible to the public.
2. The Glades Clerk will only accept for filing orders that are:
 - a. Signed in open court and received by Clerk staff directly from the Judge; or
 - b. Orders transmitted directly between Judicial staff and Clerk staff as described above in Paragraph 1.
3. The Glades Clerk will NOT accept original signed orders, or other court documents requiring judicial signatures, delivered to the Clerk's office or to Clerk staff by an attorney, by any member of the public, or by any other means outside of the parameters set forth herein.
4. To the extent that there may be unique situations in which an original signed order, or other court document requiring a judicial signature, must be transmitted by mail, (i.e. a Judge from another county presiding over a Glades case and submitting to the Glades Clerk an original signed order on a matter over with the non-Glades Judge reserved ruling), Judicial staff and Clerk staff shall communicate appropriately so as to ensure the validity of the order and the circumstances requiring transmittal outside of the parameters set forth herein.
5. At this time, there is no ability for Judges to submit original signed orders or other court documents through the secure e-filing portal. At such time as the submission of signed orders and other court documents through the secure e-filing portal becomes technologically available, such submissions to the Clerk shall also be deemed an acceptable and secure method of transmission.

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