

Santa Rosa County

County Seat: Milton, Florida

Circuit: First Judicial Circuit of Florida

Users: 128 judicial and clerical users,
25 visiting judges

Number of Filings: 31,000-35,000
documents per month; 10% e-filed

Cases per year: 34,000

Divisions: Circuit Criminal, Civil
Traffic, Circuit Civil, Family, Juvenile
Dependency, Juvenile Delinquency,
Criminal Traffic, Probate, County Civil,
County Criminal

The “360 Degree” Paperless Court

In today’s lean budget environment, many courts are faced with the challenge of doing more with less. Turning to information technology solutions to meet this challenge, many courts have accelerated their plans to ‘go paperless’. While some courts have made progress in electronic filing and in providing electronic access to court records, few courts can make the claim that they are 100% paperless from intake to disposition. Many courts are faced with a variety of challenges in implementing electronic notification to parties, leveraging electronic documents in the courtroom, electronic signing of court orders in real-time and electronic service of final orders. Santa Rosa County is meeting these challenges head-on and is well on its way to making the “360 degree” paperless claim. Situated in the panhandle of Florida, Santa Rosa County (with a modest population of 150,000) boasts easy access to spectacular beaches and beautiful countryside and now it can boast to be a national leader in the journey to realize a fully paperless court.

In an effort to pave the way for going paperless, court clerks across the country continue to make significant financial investments in court case management systems and document management systems. These court clerks have also made significant staffing investments to implement document scanning procedures and support electronic filing. But they are finding that because they are unable to provide an efficient electronic solution to their judges for use in the courtroom, they still have to maintain and deliver paper files. This demand means that the clerk must print e-filed documents; maintain both a paper case file and an electronic case file; purchase case jackets, paper and other paper-related supplies such as printer cartridges; retrieve and deliver the paper case files to the courtroom and scan court generated documents resulting from court proceedings.

Adair Cotton, Chief Deputy of Courts and Information Technology for Santa Rosa County, points to a recent Return on Investment (ROI) study conducted in conjunction with the National Center for State Courts (NCSC) and said: “The recent ROI study determined the cost of a paper solution that includes electronic storage at \$0.69 per page and the cost of a totally electronic solution at \$0.11 per page.”

She added, “We figure we will be saving somewhere in the neighborhood of \$667,000-\$684,000 per year given our almost 1.2 million pages per year.”¹

“We figure we will be saving somewhere in the neighborhood of \$667,000-\$684,000 per year given our almost 1.2 million pages per year.”¹

– Adair Cotton
Chief Deputy of Courts and
Information Technology for
Santa Rosa County, Florida

¹ *Calculating an E-Court Return on Investment (ROI)* by James E. McMillan, NCSC; Carole D. Pettijohn, Ph.D., Director of Technology Services for R.B. “Chips” Shore, Manatee County Clerk of Court; Jennifer K. Berg, Esq., Sustainable Practice Leader, Northgate Environmental Management published in the February 16, 2012 edition of the Court Technology Bulletin.

Current Florida Supreme Court policies that were built on the assumption that paper documents were the de facto official record of the court.

Pushing the State Limits

Mary Johnson, Clerk of the Court and Comptroller in Santa Rosa County, Florida, will tell you that the key to the paperless courtroom is providing an electronic solution that trial judges will embrace. She says, "If the judges find a tool that is easy to learn and use and that is faster than traditional paper, then a county is well on its way to realizing the true savings that can and should come from instituting e-filing." But the corollary is true: if a county successfully achieves electronic intake (e-filing and scanning) but does not have buy-in from its judges, with judges still demanding paper in the courtroom, then electronic filing ends up costing the county more than continuing to use traditional paper and traditional paper processes.

Santa Rosa's achievement has been groundbreaking. With all the necessary pieces in place to go totally paperless, it found itself challenging many of the current Florida Supreme Court policies that were built on the assumption that paper documents were the de facto official record of the court. Because Santa Rosa was able to demonstrate the use and value of electronic documents for all the court stakeholders (including judges), on May 23, 2012, the Florida Courts Technology Commission approved the County Clerk of the Court, to implement the use of electronic order generation, the use of electronic signatures on all court documents, and the use of emailed documents in case files. Additionally, the Commission approved the Clerk's request to implement the electronic distribution of orders and notices to all case parties.

"This is a huge leap forward," said Adair Cotton, "We are revolutionizing how the courts work."

The Trail to the Paperless Workflow in Santa Rosa County

Getting to the paperless court has been a progression of many steps over a number of years and has involved coordinated efforts across the Clerk's staff and the judicial teams in transforming their processes and embracing new technologies. Both the Santa Rosa judicial personnel and the Clerk's personnel report having enjoyed a supportive partnership over a number of years which has been crucial in achieving their significant milestones.

Santa Rosa started by first capturing critical case data in the Florida Association of Court Clerks (FACC) case management system, developed exclusively for Florida Clerks in 1989. It then took on the task of scanning the case documents into a document management system, associating the scanned image with the case data. This task involved incorporating over 70 scanners across the Clerk's office to accommodate case document volumes. With documents scanned, the county was able to immediately meet the records retention requirement of the state (which can be up to 75 years for certain cases). This also eliminated the need to send the paper files off-site to be captured on microfilm and to physically retrieve the file every time someone needed to gather information about the case.

In 2010, Santa Rosa migrated to the new Clericus CMS and, at that time, implemented voluntary e-filing to encourage attorneys to file their motions and proposed orders via the new Florida E-Filing portal (e-portal). As of June 2012, 98% of all pleadings from the state attorneys and public defenders were e-filed. June's e-filed document volumes topped 2,000 documents as more and more constituents started taking advantage of e-filing. By January 1, 2013 most of the court divisions, with the exception of the Family Division, will be 100% reliant on e-filing for case initiation and new filings, unless a document was submitted by a prose litigant. This includes the Family Law division which is oftentimes the most problematic.

While e-filing simplified the capture of case data and provided an electronic version of the

Because of the judge's reliance on the paper file, one of the most significant barriers to the paperless court for Santa Rosa was the lack of an effective solution that met the needs of their judges in the courtroom.

document for easy storage and retrieval, it did not eliminate the court's need to generate a paper copy. After an attorney entered the key case data and uploaded the PDF or scanned image through the e-portal, the Clerk's staff still needed to print the e-filed document and place it in the case file so the judge would have physical access to the file for preparation and use of it in court. While e-filing was a step forward and a preferred method for getting submitted case documents into the system, it certainly was not a panacea for achieving the paperless court.

Judicial Decision Support System Critical to Success

Because of the judge's reliance on the paper file, one of the most significant barriers to the paperless court for Santa Rosa was the lack of an effective solution that met the needs of their judges in the courtroom. They needed to find a flexible, user-friendly solution that would allow their judges to take advantage of the electronic case file and still keep up with the fast-paced activities in the courtroom. After all the progress the Clerk had made in achieving e-filing with the cooperation of local attorneys (private attorneys, state attorneys, and public defenders) and imaging all the documents for archived cases, the judges would continue to request paper files because there was no viable application that could leverage the electronic case files.

In 2012, Santa Rosa selected aiSMARTBENCH™ developed by Mentis Technology Solutions as its judicial interface to be integrated into the Clericus case management system. aiSMARTBENCH, inspired by judges and developed for judges, delivered the missing piece of the paperless puzzle by providing the world's first judicial decision support system. This judicial decision support system delivered on the promise of the paperless court by giving judges a user-friendly solution that met the challenges of their courtroom workflow that proved to be faster than traditional paper processes.

As Adair Cotton says, "It was a home run. I watched the judges totally embrace an electronic solution and then watched them demand the elimination of all paper files across the board. They pushed back to their judicial staff saying they were no longer willing to work with yellow sticky notes but wanted all notes to be captured electronically. I didn't think the e-court solution would be embraced that quickly. We found ourselves having to do some on-the-fly re-engineering of our processes to meet their request."

The success of aiSMARTBENCH proved that orders could be generated in court, eliminating the need for many post-court activities. The fact that aiSMARTBENCH supported e-signing either in the courtroom or in chambers, necessitated applying to the Florida Court Technology Committee, an arm of the Florida Supreme Court, to obtain permission to operate on a totally electronic basis. This permission came on May 23, 2012, after the technical committee made an on-site visit and observed the benefits and capabilities of the system firsthand.

Completing the Circle to a Real ROI

Even with an electronic intake system and the availability of an electronic docket that a judge can efficiently use in the courtroom, the paper file could not be completely eliminated. It served as a backup to the electronic system in case the County's electronic system became unavailable. The Clerk was still required to provide an alternative to ensure that court hearings could proceed if they experienced network or hardware failures. Mentis Technology Solutions filled this gap by offering its Court Continuity feature – a simple and fail-safe approach to

Ms. Cotton estimates that with the elimination of storing and managing paper files, she can immediately redistribute responsibilities of eight full-time employees.

ensuring continuity of courtroom activities. This feature provided an automated process for extracting a day's docket on a court-wide basis and copying it to an external drive, a courtroom desktop PC, or flash drive for authorized users. This efficient method of copying a day's docket and all documents associated with each case could be executed nightly. The judge would have an offline version of their docket and could continue in a locally-contained environment.

With Courtroom Continuity in place, the Clerk's staff no longer has to retrieve the file from the shelves, carry the file into the courtroom and then return the file to the shelves. Mary Johnson was quoted in a recent article for the *Pensacola News Journal* (See *Santa Rosa County: A greener Clerk of Courts*), "It's monumental," Johnson said, "We won't have files everywhere – a building over there full of files, a building down yonder full of files, a whole big room at the courthouse full of files. And there will be less hands-on work. We won't have to touch it so many times."

Ms. Cotton estimates that, with the elimination of storing and managing paper files, she can immediately redistribute responsibilities of eight full-time employees and then, through attrition, she may have the flexibility to eliminate as many positions. When looking at the cost of implementing aiSMARTBENCH, she is more than realizing a 200% ROI within the first year of implementing the product.

One of the final pieces of the puzzle needed to complete the circle of a "360 degree" paperless system was to eliminate the need to print court documents to be hand-delivered or mailed to the necessary parties. The Florida Supreme Court on June 21, 2012, issued a new email service rule – Rule of Judicial Administration 2.516 – (in part because of the progress that jurisdictions such as Santa Rosa were achieving) requiring that all attorneys who have email addresses provide the court with a primary email address (optionally, two secondary email addresses) for receiving service. While there are a few exceptions, (e.g. verified and sworn documents, original paper judgments and sentences) that will require the clerks to maintain both electronic copies and paper copies separately, this court rule paves the way for a totally electronic life cycle for a charging document, indictment, petition, or other similar documents.

aiSMARTBENCH supports the email delivery of attached PDF documents to attorneys and complements plans for the e-portal to support electronic service. As the updated e-portal comes online, aiSMARTBENCH will automatically e-file court-generated documents to the e-portal where they will be electronically served and then electronically docketed into the Clerk's Clericus system.

Small Wins, Big Satisfaction

This brave new world of the "360 degree" paperless courtroom is resulting in a number of small wins, which have transformed even the most minor paper processes into automated processes. Such automated processes prove more effective in meeting individual needs and supporting collaboration. Eliminating the hassle of managing yellow sticky notes or instructions is a simple example. These notes are now maintained electronically, allowing judges to prepare their docket from home or from chambers. Judges are able to use a stylus to make notes they might normally make by hand. Judicial assistants can attach electronic notes to cases without the fear that a yellow sticky note might become detached from its original location.

“It’s been a total surprise to see how enthusiastically the judges are embracing an electronic solution and actually pushing back on any ‘old thinking’ processes that still require paper. This is true of all of our judges.”

– Adair Cotton

Laura Campbell, Deputy Clerk for the Santa Rosa County Criminal Division, said she is looking forward to not ordering two-and three-part forms that had to be ordered annually to accommodate order and judgment preparation. “Think of the money we’ll save just by eliminating the need for special paper forms. It will be a wonderful world.”

The Santa Rosa County judges are reporting that they are thoroughly enjoying greater flexibility with the electronic docket, because they can now access it from home or while away at a conference. No longer tethered to their chambers, this paperless world allows the judges to take action on timely matters more quickly and effectively. They can monitor orders that are waiting to be signed and e-sign them remotely. In the paper world, one judge reported that he would have to come in early to prepare his day’s docket (to avoid carting home paper files) and now he can access his case on a break when in chambers or over the weekend when at home. It gives him the information when he needs from any location at any time. Another Santa Rosa judge stated at a recent state technology committee meeting that while his CTO was driving down the interstate, he was able to activate his mobile wi-fi and access and review his docket for the next day’s caseload while in the car.

“I’ve never seen anything like it,” said Adair Cotton, “I sat in one court session where one of our pilot judges, after only two hours of training, refused to look at any of the case files the court clerks were piling on his bench. At the end of his session, he announced, ‘I want to go on record that I was able to get through 109 criminal cases today and I never touched a paper file.’ It’s been a total surprise to see how enthusiastically they are embracing an electronic solution and actually pushing back on any ‘old thinking’ processes that still require paper. This is true of all of our judges.”

Another Reason to Visit Santa Rosa County, FL

While there is a lot of talk about the paperless court, Santa Rosa is one county that has made the investment across all aspects of the life cycle of a case and is achieving a “360 degree” paperless workflow. Now Santa Rosa County not only invites visitors to come and enjoy easy access to its beautiful beaches and countryside, but invites visitors to come and observe the 21st century courtroom in action. Visitors can see firsthand the ROI that can be realized with the right combination of vision, people, technology, and process.



8005 S. Chester Street, Suite 400
Centennial CO 80112

866-244-6339

info@mentistechnology.com

www.mentistechnology.com

For over a decade, Mentis Technology Solutions, LLC has set the bar for what is possible in document indexing and redaction. Now Mentis has reset the bar unleashing its game-changing technology with a paper-free software solution for judges to use in the courtroom and in chambers. Founded in 2000 by patent-holding software designers, its solutions are now in more than 200 county courts, land records, and secretary of state offices nationwide including ten of the largest counties in the country. Mentis corporate headquarters is located in Colorado with sales and marketing offices in Florida, California, North Carolina and Ohio.

Mentis Technology Solutions collaborated with the 12th Judicial Circuit of Florida and the Manatee County Clerk of the Circuit Court in Florida to develop a secure internet-based, in-courtroom solution tailored for judges. The vision which inspired aiSmartBench is presented in a video Manatee Model™ narrated by Hon. Lee E. Haworth, Chief Judge, 12th Judicial Circuit of Florida, in conjunction with Hon. R.B. “Chips” Shore, Clerk of Courts, Manatee County Florida and the Judges of the 12th Judicial Circuit of Florida.