

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2020-013 PA-CIR

RE: CASE FILES IN PASCO COUNTY

In order to achieve a comprehensive electronic documents system, the Court continues to transition to electronic case files. To ensure the integrity and efficient delivery of information to the judiciary, the Pasco County Clerk of the Circuit Court (“Clerk”) must continue to create and maintain paper case files in the cases specified herein.

In accordance with Article V, section 2, Florida Constitution, Rules of Judicial Administration 2.215 and 2.525, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Beginning June 1, 2020, the Clerk is not required to create or maintain paper case files in new cases in the following division: Dependency (except shelter hearing documents at the shelter hearings).

2. County and Circuit Criminal (except probable cause affidavits at the advisory hearings), Civil and Criminal Traffic (except driver’s license records) and Delinquency cases (except detention hearing documents at the detention hearings) have been electronic since March 1, 2020. Circuit Civil, Family Law (excluding initial DV petitions), Mental Health/Probate (excluding initial petitions for Baker Act, Marchman Act, Preventing Exploitations of Vulnerable Adults, and Risk Protection Act cases), and County Civil cases have been electronic since January 1, 2020. In existing cases, the Clerk is not required to maintain the paper case file if it has been fully converted to an electronic case file that is maintained by the Clerk and available to the Court.

3. The Clerk is required to create and maintain paper case files in the following new and existing cases:

- a. County to Circuit Criminal Appeals,
- b. Small Claims, and
- c. Cases where the death penalty has been imposed.

The Court will continue to request paper case files for the above cases. The Clerk must deliver the paper case files to the Court within two business days of the request, unless a different time is specified by the Court. The Clerk will continue to deliver paper case files to the courtrooms for scheduled calendars in these cases in accordance with its current practices, unless directed otherwise.

4. The Clerk is required to continue to use File & Serve Xpress for e-filing and electronic case files until JAWS is implemented for Probate.

5. Florida Rule of Judicial Administration 2.525 provides the official court file is a set of electronic documents filed by electronic transmission or converted to electronic form by the Clerk. The Clerk began accepting e-filed documents and converting paper filed documents to

electronic documents in all case types in 2013, however, in certain case types, the Clerk maintains electronic documents earlier than 2013. Since 2013, the Clerk has maintained electronic and paper case files. Maintaining a dual court case file system of paper and electronic case files is an inefficient process and is financially burdensome for the Clerk. Therefore, the Court and Clerk agree to move forward cooperatively and expeditiously to implement electronic court files. In certain circumstances, the Court, through the Pasco County Administrative Judge, may request the Clerk to print an electronic court file. Such requests will be limited to when paper case files are necessary for the efficient operation of the Court and specifically requested by the Court. The Clerk shall deliver the paper case file to the Court within two business days of the request, unless a different time is specified by the Court. If the Clerk is unable to comply with the Court's request, the Clerk shall seek resolution with the Pasco County Administrative Judge.

6. In cases where a portion of the case file is in paper format, the Clerk's Office will use its best efforts to convert the paper format to electronic if the Court requests the conversion. If back scanning the case file is determined to be too burdensome for the Clerk's Office, the Clerk's Office will seek clarification from the Court as to whether a paper file is an acceptable alternative.

7. In cases where the Court requests a case file that is entirely in paper format and was created prior to April 2013, the Clerk's Office will deliver the paper case file to the Court upon request or will provide the electronic case file if the paper case file has been converted by the Clerk to an electronic case file.

8. Given the exigent nature of juvenile (detention and shelter hearings) and criminal advisory hearings, electronic documents would impede the efficient operation of the Court. Therefore, the Clerk must continue to provide paper copies of charging documents to the Court in accordance with its current practices for these initial hearings.

9. To facilitate the Court's transition from paper case files to electronic case files, the Clerk must provide documents in electronic case files in a searchable PDF format whenever possible.

10. Nothing in this Administrative Order alters the Clerk's responsibility to retain court records as required by Rule of Judicial Administration 2.430 or to maintain original filings in accordance with Administrative Orders 2013-017, 2013-029, and 2014-011 or subsequent administrative orders.

11. The Clerk, upon request, must make the court record available in a format that complies with the Americans with Disabilities Act as provided in section 282.602 and 282.603, Florida Statutes.

Administrative Order 2020-006 PA-CIR is hereby rescinded.

DONE AND ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this _____ day of May, 2020.

ORIGINAL SIGNED ON MAY 26, 2020
BY ANTHONY RONDOLINO, CHIEF JUDGE

cc: All Pasco Judges
The Honorable Bernie McCabe, State Attorney
The Honorable Bob Dillinger, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pasco County
The Honorable Chris Nocco, Sheriff, Pasco County
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties