

## Frequently Asked Questions – eFiling in the 17<sup>th</sup> Judicial Circuit



### **Why are the 17<sup>th</sup> Judicial Circuit and Broward County Clerk implementing eFiling?**

The Judiciary and the Clerk are implementing electronic filing to provide the public and the legal community with easy and inexpensive access to the Court.

### **How does eFiling work?**

A Service Provider electronically transmits your filing to the Clerk's contractor, Bearing Point's eFiling for Courts, which processes it for acceptance into the Clerk of Court's case maintenance system and the Judiciary's case management system. The filing is electronically delivered to the Clerk's inbox. A filing is considered received by the Clerk upon transmission from your Service Provider to the Clerk's inbox. The Clerk then reviews the filing and either accepts it or rejects it. If accepted by the Clerk, the filing will appear in the Clerk's case maintenance system, the Court's case management system, and you will receive notice of the Clerk's action and a link to the "file stamped" copy of the filing either via email or in your inbox (depending on your Service Provider). If rejected by the Clerk, you will receive notification of the rejection and the reason for the rejection.. If you have not received notification of rejection or acceptance within one (1) business day of transmission, or have any other questions related to the processing of your filing by the Clerk please send an email to [efiling@browardclerk.org](mailto:efiling@browardclerk.org). Please include the 'trace number' in the subject line.

### **Who eFiles and what cases are eFiled?**

eFiling is permissive for new cases and existing cases in all Probate and Guardianship cases. It is also permissible in certain Mental Health cases including Incapacity or Developmentally Disabled Adult cases but not Civil Involuntary Commitment proceedings (Baker Act, Marchman Act, Tuberculosis, Sexually Transmissible Diseases).

Special forms are required and are provided by your Service Provider for certain filing types such as the guardianship initial and annual reports and background investigation paperwork. If you have questions or comments about the required forms please send them to [efileinfo@17th.flcourts.org](mailto:efileinfo@17th.flcourts.org).

For more information on what types of documents can be electronically filed, please see section 3.3 of Administrative Order 2009-79-PRC which can be accessed at <http://www.17th.flcourts.org/2009-79-PRC.pdf> .

**Can I schedule hearings using eFiling?**

Currently, you may only schedule Ex Parte hearings via the eFiling system.

You may eFile your ex parte request form to the Clerk's Office. The forms are available here: [http://www.17th.flcourts.org/probate\\_and\\_guardianship.html](http://www.17th.flcourts.org/probate_and_guardianship.html) .You will also need to eFile the pleadings that you wish to schedule a hearing on if they are not already filed in the court file.

**How do I select a Service Provider?**

The model adopted by the Clerk of Court envisions multiple options for service providers. You are encouraged to learn about each service provider and choose one that best fits your practice. The list of Service Providers will be updated as additional ones become available.

**What hardware or software do I need to eFile?**

The eFiling program is a web-based program that needs no proprietary software or special hardware. But you must have the following to eFile:

A computer with the following minimum requirements:

- Windows 2000 or later operating system
- High speed internet connection
- Internet Explorer 6.0 or higher (Note: Netscape web browsers are not supported)
- Adobe PDF Reader 7 (free download from Adobe)
- A scanner to submit non-electronic documents
- Microsoft Word or WordPerfect (depending on your service provider)
- Registration with the Service Provider

**How do I get trained for eFiling?**

Please contact your Service Provider to arrange training.

**Will I be able to access the documents that I file?**

At this time, you will be able to access the documents you filed or with which you were served through your Service Provider. You may also download such documents to your computer when provided with the link to the "file stamped" copy of the filing after acceptance by the Clerk .

**Filing Dos and Don'ts**

**Why do I have to use a specific case number format for eFiling?**

Please note that the Judiciary and Clerk require a certain case number sequence. You will not be able to file your document if the correct format is not used on the Service Provider's website and pursuant to Administrative Order IV-07-B-3 section 4.3(d) the Clerk is required to reject your document if the correct format is not used on the pleading or paper you are filing. The new format is as follows:

For the Probate Division:

The first three characters are the division designation (at this time only PRC); the second two characters are the year designation; and the last 7 characters are the numerical sequence of the case. For example, old case number PRC 08-2398 would now be entered as PRC080002398. Please note, the leading zeros in the numerical sequence must be included.

**Why do the attachments to a motion, opposition or other filings have to be uploaded separately?**

Under Court rules, all filings associated with one pleading or paper are one document. However, in the electronic filing process documents must be uploaded separately. The first document you upload will be your lead document. The lead document is the pleading or paper (reporting form, background investigation form, motion, etc.). After the lead document is uploaded, supporting documents (attachments, exhibits, or other documentation) may be uploaded. Your Service Provider will then submit all of the documents to the Clerk as one filing.

**Why do I have to redact personal identifying information?**

Pursuant to Administrative Order IV-06-A-31, redaction of personal identifying information is required in all documents filed in the Probate Division that will be included in the publicly available file. This Administrative Order can be accessed electronically at [http://www.17th.flcourts.org/Probate\\_eFiling/probate\\_efiling.html](http://www.17th.flcourts.org/Probate_eFiling/probate_efiling.html)

**Do I have to follow up my eFiling with a paper filing?**

Follow-up paper filing is no longer required. The electronic submission is all that is necessary to complete your filing unless court rules require the original document (original will, death certificate, etc.). Please refer to the 17<sup>th</sup> Judicial Circuit Administrative Order Establishing Electronic Filing Procedures for more information on what documents must still be filed in paper format. <http://www.17th.flcourts.org/2009-79-PRC.pdf> .

**Can a single filing apply to more than one case?**

No. Each document electronically filed must be submitted as individual transactions with the Service Provider. If cases are not officially consolidated by court order with other cases, any document applying in several cases must be filed in each case.

If a case is consolidated with others by court order, then a document can be filed in the lead case. Specify which cases the documents apply to by entering the information into the comments field on the eFiling user interface. After acceptance by the clerk, a docket entry will be made in each of the other cases with which it is consolidated. The entry will also state the case number of the lead case where the document was filed and can be viewed on a public access system.

**Can I file multiple pleadings in the same case?**

Not at this time. Each electronic filing is considered a separate transaction and an entry is made on the progress docket of the case. We realize this is desirable functionality for filers and will be working with the Service Providers to create this ability.

**How do I sign my documents?**

Place a '/s/' in the signature field of the electronically filed document and maintain the originally signed documents in your files for the time period mandated by the Rules of Judicial Administration.

**Additional Information**

**What fees are associated with eFiling?**

Pursuant to Florida Supreme Court order, transaction fees cannot be charged for eFiling; only statutorily mandated filing fees can be charged. You will be able to pay filing fees, including fees for background investigations (but excluding FDLE fingerprinting fees), and accountings, with a credit card. The Electronic Filing Manager will charge a credit card processing fee of 2.25% as cost recovery.

If the document type that you select to be filed does not require a fee, supplying your credit card information is optional. However, if you choose not to supply

your credit card number and the document type is incorrect and requires a fee, or if a re-open fee is required, then your document will be rejected and you will need to resubmit. If you choose to supply a credit card number and the document type is incorrect and requires a fee, or if a re-open fee is required, the Clerk's Office is authorized to make the necessary changes, accept the document and apply the appropriate fee.

**How can I learn more about eFiling in Broward County.**

Visit the Judiciary's site at

[http://www.17th.flcourts.org/Probate\\_eFiling/probate\\_efiling.html](http://www.17th.flcourts.org/Probate_eFiling/probate_efiling.html) or the Clerk's

site at <http://www.browardclerk.org>

for more information. Information on eFiling rules, filing and document types and other specifics will be placed on the site.