

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

IN RE: ELECTRONIC SUBPOENAS

ADMINISTRATIVE ORDER
NO. 3.22

WHEREAS, the State Attorney, the Public Defender and Court Administration, as part of the "CJIS Consortium" of the Twentieth Judicial Circuit, have developed a system by which subpoenas are served on law enforcement officers through the use of electronic means, as an alternative to service by traditional methods; and

WHEREAS, in May of 2008, an application, a copy of which is attached hereto as Attachment A, was submitted to the Florida Supreme Court for approval of the use of the "CJISNotify Document Portal" for Lee County, which was designed as the means of electronically serving subpoenas on law enforcement officers; and

WHEREAS, the Florida Supreme Court approved the application and use of the "CJISNotify Document Portal" for Lee County by Administrative Order AOSC08-90 entered November 19, 2008, a copy of which is attached hereto as Attachment B; and

BY: [Signature] D/C

2010 SEP 13 PM 12:00

STATE OF FLORIDA
CLERK OF COURT

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WHEREAS, by letter dated June 9, 2010, a copy of which is attached hereto as Attachment C, the Florida Courts Technology Commission advised that it had approved the request to expand and implement the CJISNotify system in Charlotte, Collier, Glades, and Hendry counties, and further advised that no further review or action was required;

IT IS HEREBY ORDERED, pursuant to the authority vested in the Chief Judge by Fla. R. Jud. Admin. 2.215, that when using the "CJISNotify Document Portal" for the purpose of electronically serving subpoenas, as approved by Florida Supreme Court Administrative Order AOSC08-90 and by letter of the Florida Courts Technology Commission dated June 9, 2010, the State Attorney, the Public Defender and the Clerks of Court for Charlotte, Collier, Glades, Hendry, and Lee counties are to use the "CJISNotify Document Portal" subject to the following

conditions and consistent with the requirements of Fla. R. Crim. P. 3.361:

1. The issuance and service of subpoenas through the use of electronic means (hereinafter “electronic subpoenas”) shall be a matter of record, and evidence of such must appear in the court file.

2. So as to ensure the uniform and proper use of electronic subpoenas, the State Attorney, Public Defender, and Clerks of Court shall comply with the written procedures and policies issued by the “CJIS Consortium,” which are attached hereto as part of the application for approval of the use of the “CJISNotify Document Portal” (Attachment A). Such written procedures and policies shall be maintained, kept on file, and available for public viewing in the main offices of the State Attorney, the Public Defender, the Court Administrator, the CJIS Director, and all law enforcement agencies participating in the use of electronic subpoenas.

3. The State Attorney, the Public Defender, and all participating law enforcement agencies shall enter into a written agreement(s) demonstrating each party’s intent to participate in the use of electronic subpoenas and assent to all written procedures and policies governing the use of electronic subpoenas. The original of all such written agreements shall be held and maintained by the CJIS Director, with copies to the State Attorney, the Public Defender, the Court Administrator, the applicable law enforcement agency, and the Clerks of Court.

4. This Administrative Order shall not be construed as a mandate requiring that the State Attorney and the Public Defender use electronic subpoenas, and, absent a written agreement between the law enforcement agency, the State Attorney and the Public Defender, this shall not be construed as a mandate requiring that all law enforcement agencies participate in the use of electronic subpoenas. To the extent that the State Attorney and the Public Defender do elect to use electronic subpoenas, the State Attorney and the Public Defender, as attorneys of record defined in Fla. R. Crim. P. 3.361(a), shall be responsible for ensuring compliance with all conditions set forth herein.

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5. This Administrative Order does not relieve the State Attorney and the Public Defender of their responsibility to ensure that their respective witnesses appear in Court. It must be acknowledged that in using electronic subpoenas, the State Attorney and the Public Defender are relying upon technology that is subject to disruption or failure. In the event of any technological disruption or failure, regardless of the actual cause, the State Attorney and the Public Defender, as attorneys of record defined in Fla. R. Crim. P. 3.361(a), shall be responsible for ensuring that any necessary subpoenas are served utilizing traditional methods, or to otherwise secure the appearance of any necessary witnesses.

6. To the extent that issues of law or legal procedure may be implicated in any particular case by the use or attempted use of electronic subpoenas, these issues are matters to be raised, addressed, and ruled upon by the trial court judge. This Administrative Order is only administrative in nature and is not intended to address or resolve any issues of law or legal procedure, nor to authorize the use of any procedures that might be in contravention of any law, statute, or rule. To the extent that any provision of this Administrative Order may be construed as being in conflict with any law, statute, or rule, the law, statute, or rule shall prevail.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida, this 7TH day of September, 2010.

STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORD

This 13 Day of Sept 10 Record in Circuit
Book 54 Page 231-286 and Record Verified. G. Keith Cary
By Mary Montgomery Deputy Clerk
CHARLIE GREEN Clerk Circuit Court

G. Keith Cary
Chief Judge

History. - New.

County of Lee
Clerk of the Circuit Court
Lee County, Florida
Dated 9/13/10

By Mary Montgomery
Deputy Clerk

Section 6**Application for Electronic Filing System**

Instructions: 1. Please save this file as Florida Courts E-Filing Application – County Name or Circuit Number (i.e. Florida Courts E-Filing Application – Lee)
 2. Enter responses in the cells marked.

Circuit:	20 th Judicial Circuit
County:	Lee
Name of Clerk of Court:	Charlie Green
Name of Chief Judge:	G. Keith Cary
E-Filing Application Name:	CJISNotify Document Portal
Date:	5/6/2008
Contact Person:	Joseph Friess, Craig McLean

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List the database platform(s)

Oracle 10g RAC

List the format(s) that the images will be accepted, retained and stored in the application:

Only data fields are saved in the database. The web site presents this data in HTML and PDF pages.

Describe how users will access the system.

Web page via a Secure login from the Internet.

Describe the contingency plan that will be used if the application/images are unavailable during normal court operations.

Generate a hard copy of Subpoena or Continuance Letter and manually deliver documents to Law Enforcement Agency Liaisons and the Lee County Clerk's office as it is done now. The internal application allows for the PD or SAO agency to turn on paper printing as required.

Describe how this application receives, stores, and transmits files electronically.

CJISNotify does not store nor transmits files. As Subpoenas and Continuance Letters are generated by the State Attorney's Office (SAO) and the Public Defender's Office (PD), the information from those documents is programmatically stored in an Oracle database. The data fields stored in the database are merged with a report format that generates a html page for viewing and a PDF page for printing which is accessed by the various Law Enforcement Agencies liaison(s) and the Clerk's Office via a secured website. The document html pages can then be viewed, the document PDF pages can be printed online, and the data fields may be retrieved electronically in XML file

	<i>format for inclusion in the LEO's notification system.</i>
	<i>In the past, the Clerk would receive printed copies of the subpoenas from the SAO and PD offices and then would scan and file them using the existing business practices in their Odyssey system. Using the CJISNotify website, the Clerk's office will print paper copies of the subpoenas that indicate their acceptance or return by the LEO. These paper copies will be scanned and filed by the Clerk using the existing business practices in the Odyssey system.</i>
Describe quality control procedures.	
	<i>The PD, SAO, and Clerk will use their existing business practices to insure the quality of document data. CJISNotify uses the same case data that generates the paper documents for the current paper notification system.</i>
Describe the notification process.	
	<i>As with paper Subpoenas and Continuance Letters that are generated today, it will be the responsibility of the Law Enforcement Agency Liaison to retrieve and distribute the document information to their respective officers. The Law Enforcement Agency will review the CJISNotify web site daily to retrieve newly issued document information.</i>
Does this application have bi-directional electronic communications?	
	<i>Yes, The Agency Liaisons are able to accept and return Subpoena documents electronically. This effectively replaces the manual signature process in use today.</i>
How are Pro Se litigants accommodated?	
	<i>Not Applicable</i>
What features are in place to assist Americans with Disabilities access this application?	
	<i>Not Applicable</i>
Describe all charges above and beyond standard filing fees that will be imposed on users of this application. (Subscription, convenience fees etc.)	
	<i>Not Applicable</i>
Describe security processes in place to protect the accessibility and integrity of the records.	
	<i>Each Law Enforcement Agency and Clerk Liaison will have a dedicated username and password that identifies them as being a Liaison of that Agency. Their secured logons will only allow access to their respective agency's documents. The web site is secured via SSL certificate. The web site only allows the Law Enforcement Agency to accept and reject subpoenas. Program code does not allow other record creations, deletions, or updates to be done by neither the Law Enforcement Agency nor the Clerk's office Liaisons.</i>

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Does your system readily produce on-demand paper copies of electronically filed/stored documents?	
	<i>Yes. The CJISNotify website will eliminate the need to generate a paper notification to officers of participating law enforcement agencies. The data defining the parameters of the notification will be electronically stored. A document image will not be created and thus will not be stored. Should a paper version of a notification be needed, it will be readily printable from the CJISNotify website. Documents may be printed in PDF format. They may also be printed by the SAO or PD through the existing CJIS desktop applications at the time of generation, if so desired.</i>
What format and procedures will be used to archive the electronic documents?	
	<i>CJISNotify stores data rather than document images. Data is stored in an Oracle database which is backed up to tape and file image daily. Documents can be reprinted via the CJISNotify web site from the data or from the CJIS Desktop application.</i>
Are you retaining the documents in the electronic format they were received in, and if not, why?	
	<i>CJISNotify will store the document data rather than a document image. CJISNotify provides electronic access to the documents that will replace the delivery of hardcopy subpoenas. The Clerk will be storing the subpoena in its paper format as well as a scanned electronic image.</i>
How are you incorporating document received in paper form into the electronic case file?	
	<i>There is no electronic case file, but much of the case data is stored in the CJIS database and the Clerk's Odyssey system. It is anticipated that some law enforcement agencies may not be participants of this system. In those cases, a paper subpoena or continuance notice will still continue to be printed and hand delivered for those agencies in the same manner that is done today.</i>
Did you choose a date certain to start or are you converting all paper files to the electronic filing system?	
	<i>Once the system is implemented after the required testing period is completed and Supreme Court approval is obtained, the SAO and PD will cease the printing and delivering the subpoenas to the LEAs participating in the CJISNotify system. One law enforcement agency will be added periodically with the first 30 days for testing before going live.</i>
What methods have you established to verify the identity of the filing party?	
	<i>CJISNotify is not filing any documents. Each user in the SAO, PD, and Clerk agencies are assigned a unique user id and password. Each user is associated to the office for that id. As a result, the user id identifies the submitter of a subpoena or letter and the agency to which they belong. The user id, date, and time become part of the subpoena database record at the time the subpoena is issued.</i>

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What methods have you chose to ensure the integrity of the electronically filed documents, i.e., were not changed or corrupted during transmission?	
	<i>The documents are not being filed. The document data is stored in the CJIS database and is merged to the documents in the web page. Database systems and security insures the integrity of the data and the documents. The Clerk is filing the paper copy of the document using existing Business Practices in their system, Odyssey.</i>
What format are you going to store the electronic documents in and will in the compatible with and/or convertible to the PDF format?	
	<i>Data comprising the contents of a subpoena, history of the issuance of the subpoena date, time, issuer and information regarding the associated subpoena details will reside in an Oracle database. A paper document will be generated by CJISNotify on demand by the Clerk, and will be filed using existing Business Practices in their system, Odyssey.</i>
What procedures are you implementing to check for viruses, when necessary?	
	<i>Enterprise level security (Symantec Corporate Edition) with centralized administration is in place for all workstations, database servers, and web servers; internet and mail traffic is also scanned.</i>
How are you going to prevent the public (or hackers) from accessing the internal court network or computer?	
	<i>A firewall is in place to limit port access to Port 80 and 443 on the web server which is on a DMZ segment. By virtue of database and web security, only specific users will have permissions to access CJISNotify functions.</i>
What method have you selected to protect electronic filing against system and security failures?	
	<i>For high availability, redundant web application and database servers will be maintained for this system. Symantec Backup Exec will be utilized on a daily, weekly, and monthly basis for backup to tape and to an off-site disk drive.</i>
Is this method consistent with backup and disaster control procedures?	
	<i>Yes</i>
How are you going to provide an acknowledgement to the filer that the court received and accepted (or rejected) the electronic document?	
	<i>Acceptance or rejection of the subpoena as well as date, time, and who accepted the subpoena are all part of the subpoena record maintained in the Oracle database.</i>
What procedure have you implemented to verify the completeness and accuracy of any docketing and indexing data which is accompanying the document being filed electronically?	

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	<i>Data is captured in real time as the subpoena is being processed which updates the Oracle database. A paper document will be generated by CJISNotify on demand by the Clerk, and will be filed using existing Business Practices in their system, Odyssey.</i>
Will this step also provide a second acknowledgment to the filer indicating that the document has been processed?	
	<i>There are no documents being electronically filed in CJISNotify, however web pages and reports can be generated showing the status of the subpoenas: Pending, accepted, or returned.</i>
What provisions are you including in your electronic transmission and filing project to provide real-time access to the electronic case file for judges and their court staff?	
	<i>Judges and staff can request access to the CJISNotify web application 24/7, but presently access the Clerk's system, Odyssey which provides subpoena served status via filed paper documents.</i>
How are you providing access to document that have been filed and/or stored electronically?	
	<i>Those officers subpoenaed, their agency's appointed Liaisons, the County Clerk's office, the SAO and PD have 24/7 access to historic subpoena data via the website. The Clerk's system, Odyssey, provides 24/7 web access to filed subpoenas.</i>
How will electronic cases be initiated?	
	<i>Not Applicable</i>
How will you assure the system will provide the judges access to records that is at a minimum equal to having access to paper files?	
	<i>Judges and staff presently can access LEA paper filed subpoenas through the Clerk's system, Odyssey,</i>
How will you notify the public that an e-filing system has been implemented and how will they become certified to utilized the system?	
	<i>Not Applicable. The scope of this project is limited to court (Judiciary, AOC, Clerk, PD, SAO) and law enforcement agencies within the Court's jurisdiction.</i>
Provide the following detail as an attachment:	
1.	<i>Provide a written overview including diagrams of the hardware and software components of its electronic filing system. The description overview should address all minimum standards and policies established by The Supreme Court regarding such items as data integration, anti-virus and anti-spyware software, Internet use, firewall configuration, user authentication, screen savers, intrusion monitoring and detection, remote access. a. See CJISNotify Flow Diagram, Lee County 20th Judicial Circuit</i>

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	<i>b. CJIS, PD, SAO, AOC, and the Clerk enforces virus scanning at the internet perimeter for web and email based traffic. Additionally, an enterprise Antivirus architecture provide centralized command and control over servers and workstations on the internal network. Numerous firewalls are used both at network entry points.</i>
2.	<i>Provide a brief non-technical description of the procedures you intend to use to accept electronic transmission and/or filing of court documents. There is no electronic filing of court documents with this system. Law enforcement agencies will accept or return and retrieve subpoenas via a secured web site. See attached document CJIS Notify External User.pdf for the procedures.</i>
3.	<i>Provide an implementation plan that describes how your court divisions will be implemented, i.e. will court divisions be implemented incrementally or will the entire court be installed at one time. A time schedule should be attached and also a diagram that reflects the filing process from initiation of the filing party through the actual acceptance and storage in the clerks systems. After the test period is complete with Cape Coral Police Department, paper documents will be turned off and the web site will be used exclusively for subpoena/ continuance letter retrieval. The next Law Enforcement agency who mutually agrees to use the system will be set up for a 30 day parallel test period and then go live. Upon completion of the 30 day live period the next Law Enforcement Agency will be set up.</i>
4.	<i>Provide business continuity and contingency plans as it relates to the e-filing application and related image access. Not applicable; this is not an e-filing application. However, there is a backup website in the event of a website failure. In the event of a second web site failure, the CJIS application which is available on multiple PCs in the SAO and PDs, has the ability to bulk print all Subpoenas to paper and then deliver them to the Clerk and LEAs identical to the existing system. The CJIS application is an in house VB client EXE tied to the CJIS Oracle database. See attachment CJIS Backup and Disaster Recovery Overview.</i>
5.	<i>Provide documentation of a system to backup electronic court records, including at a minimum the database and associated images that comply with Technical Standard 5 and Functional Standard 8, off-site at least 50 miles from the host site. See attachment CJIS Backup and Disaster Recovery Overview.</i>

Clerk of Court:

Charlie Green

Date:

05/08/08

Chief Judge:

A. Herb Long

Date:

12 May 2008

Section 7

Florida Courts E-Filing Site Visit Checklist

County:

Circuit:

Site Visit Staff Person:

Date of Visit:

Application Name:

The site visits will occur after the application has been made and within the 60 day time period for response established by the E-Filing Committee. Clerks also have the option to request a site visit prior to or during the 90 day testing period for a review of their application in advance of their application.

The site visit team, which shall consist of court technology staff.

All areas of the testing criteria will be reviewed.

Application Review

Review of document formats and storage methods/capacity

Notes:

Review of application platforms and interface points

Notes:

Review of security procedures, methods, and tools

Antivirus:

Notes:

Firewall:

Notes:

Backups:

Notes:

Redundancy of equipment

Notes:

Review System Response Times

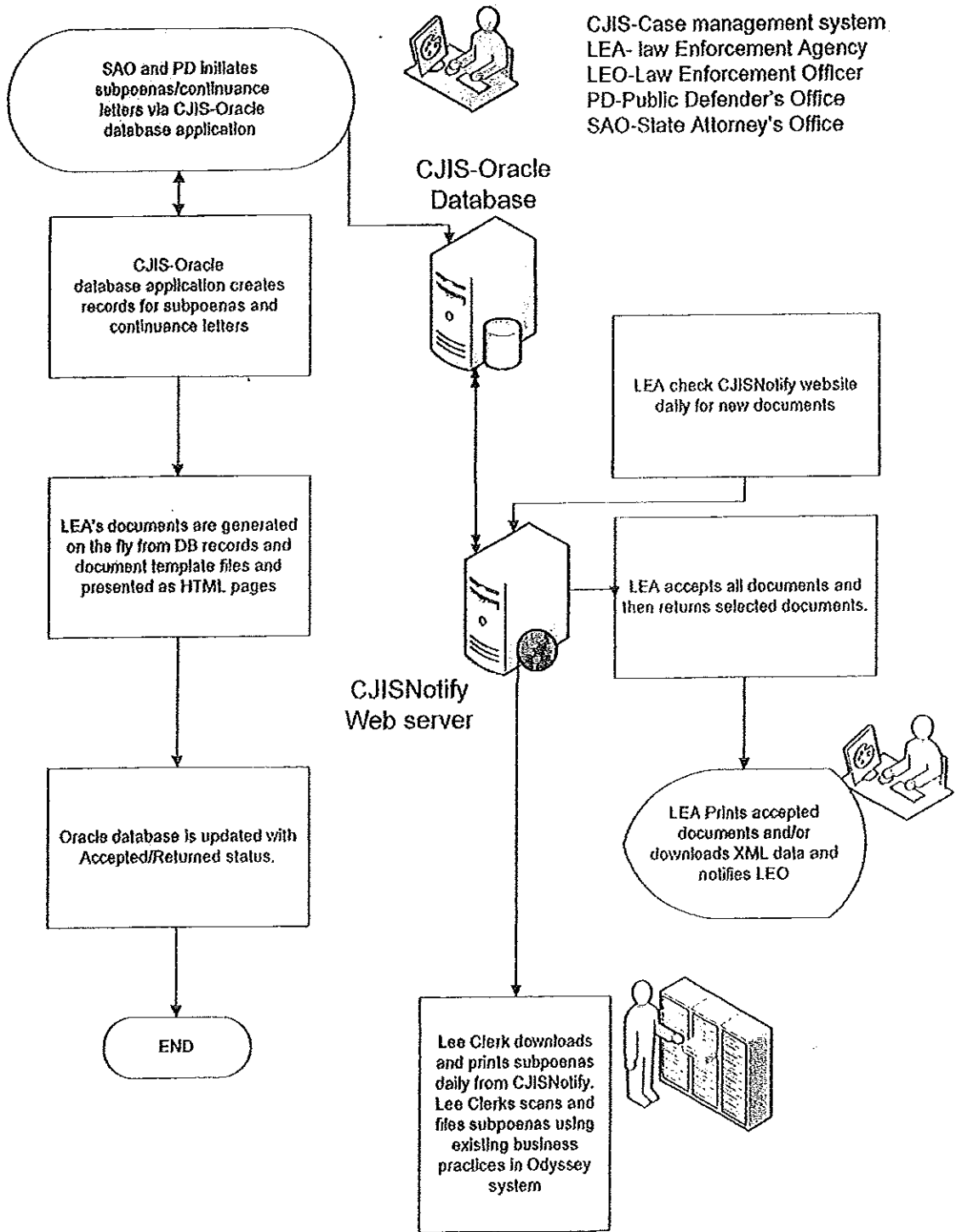
Notes:

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Section 7	
Florida Courts E-Filing Site Visit Checklist	
County:	
Circuit:	
Site Visit Staff Person:	
Date of Visit:	
Application Name:	
Review of how files are accessed	
	Judges and court staff
	Notes:
	Clerks
	Notes:
	Attorneys
	Notes:
	Public
	Notes:
How are Pro Se litigants accommodated?	
	Notes:
Are there any special accommodations related to ADA?	
	Notes:
Will electronic cases be initiated?	
	Notes:
How will users be identified and authenticated?	
	Notes:
Review Quality Control Methods for Document Images and Case Information	
	Notes:
	Other Commentary

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CJISNotify Flow Diagram, Lee County 20th Judicial Circuit



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SUBPOENA

	SA	PD	R	CCPD	LCCOC
DEC	107	15	4	122	
JAN	534	58	5	592	
FEB	471	67	32	538	
MARCH	364	76	9	440	496
APRIL	482	95	17	577	526
MAY	254	27	11	276	120
JUNE					
JULY					
AUG					
SEPT					
OCT					
NOV					
TOTALS:	2212	338	78	2545	1142

CONTINUANCE LETTERS

	SA	PD	CCPD	CCSO	NPD
DEC	335	4	335		
JAN	582	23	605		
FEB	383	20	383		
MARCH	397	15	397		
APRIL	3358	21	482	2711	223
MAY	1763	2	134	1482	149
JUNE					
JULY					
AUG					
SEPT					
OCT					
NOV					
TOTALS:	6818	85	2336	4193	372

LCCOC TOTALS

	Dibba County		LCCOC
	SA	PD	
02/26 TO			
03/24/08	404	92	0
03/25 to			496
04/22/08	458	74	6
04/23 to			526
05/21/08	392	52	
			392
			0
			0
			0
			0
			0
			0
			0
TOTALS:	1254	218	1414

Note: The LCCOC stats will not coincide with the normal monthly agency stats due to the Clerks office not receiving the subpoenas until 5 days after the initial issuance to the LEA.

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Subpoena		SA (actual)	reported	Deleted	received	reported	Deleted	received	PD (actual)	returned	CCPD	Comments/issues	Resolution
Issue Date													
12/17/2007	✓	6	0	0	✓	4	0	4	0	✓	10	SA - initially did not report on 12/18/07 but submitted report on 12/19/07, see comments on 12/19/07 / PD - requested that the non-served subpoena 55-30d be deleted / CCPD - had an issue with the download of the XML file. Only 10 were issued on 12/17/07 the remaining 43 were from 12/14/07 posting.	PD - request was deleted from the list. CCPD - correction was made to the XML format and the second attempt to download was completed successfully. User was trying to download XML file from main menu of the website. Programmer removed this feature so the user will be forced into the subpoena screen and mark the records as accepted.
12/18/2007	✓	16	1	17	✓	0	0	0	0	✓	16	SA - reported an issue with opening the browser. Duplicated one e-subpoena on accident. SA - still unable to access the new site.	SA - user was redirected to the new URL (https://www.clls20.org/cclsholiday) for requested SA Tech Support to look into a possible routing issue.
12/19/2007	✓	42	3	45	✓	6	0	6	6	✓	48		
12/20/2007	✓	16	1	17	✓	0	0	0	0	✓	16		
12/21/2007	✓	1	1	2	✓	0	0	0	0	✓	6		
12/24 - 12/25/07		0											
12/26/2007	✓	13	0	13	✓	0	0	0	0	✓	13	Office Closed due to holidays. SA - should have deleted 07-5073700CT but did not. Only 12 were issued.	
12/27/2007	✓	8	1	9	✓	0	0	0	0	✓	8		
12/28/2007	✓	5	0	5	✓	0	0	0	0	✓	5		
12/31 - 01/01/08		0											
TOTAL:		107	5	112		15	0	15	4	✓	122		
Continuance Ltr													
Issue Date		SA				PD					CCPD		
12/17/2007	✓	55			✓	0			0	✓	55		
12/18/2007	✓	72			✓	3			3	✓	72		
12/19/2007	✓	20			✓	1			1	✓	20	PD - LCSO	
12/20/2007	✓	126			✓	0			0	✓	126	PD - LCSO	
12/21/2007	✓	3			✓	0			0	✓	3		
12/24 - 12/25/07													
12/26/2007	✓	29			✓	0			0	✓	29	Office closed due to holiday	
12/27/2007	✓	13			✓	0			0	✓	13		
12/28/2007	✓	17			✓	0			0	✓	17		
12/31 - 01/01/08													
TOTAL:		335	0	335		4	0	4	0	✓	335		

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CJIS Backup and Disaster Recovery Overview

Purpose

The purpose of this document is to give a high-level overview of the CJIS backup and recovery processes in place for disaster recovery. Links are provided to additional, lower-level documents that detail the steps and commands involved in particular operations.

Backup Mechanisms

In the event of a hardware, software, or database failure, reliable backup sources are often necessary from which the database can be restored. The CJIS group utilizes all of the following backup processes:

1. Remote Application Cluster (RAC)- The Oracle 10G database has (2) server instances running a clustered database that provides redundancy and hot failover for server failures. The SAN is fully redundant with controllers and fiber switches with a RAID 10 drive configuration and hot drive spares.
2. Data Guard – A transactionally consistent copy of the production CJIS database (on CJISRAC1 and CJISRAC2, known as the primary) is constantly maintained on the disaster recovery server (on CJISDR, known as the standby) using Oracle Data Guard technology. In our configuration, the Oracle LogWriter Network Server (LNS) process asynchronously transmits transaction data from the online (and, occasionally, archived) redo log files on the primary servers to the standby. This redo data is received on the standby server by the Remote File Server (RFS) process, which writes it into standby redo log files. The data is then applied to the standby database by the Managed Recovery Process (MRP).
3. Recovery Manager (RMAN) backup – At 2:00 AM each morning, the "PROD10G Full RMAN Backup" Windows Scheduler job on CJISRAC1 (also available on CJISRAC2, in case of a failure on CJISRAC1) creates a physical backup of the database and archived redo log files using Oracle RMAN technology. The scheduler job calls F:\oracle_admin\rman\rman_scripts\full_back.bat, which uses the full_back.rmn RMAN script from the same location, to perform the backup and send an e-mail of results. This is a hot backup, meaning that user access to the database is not interrupted. The resulting files are stored in F:\opt\oracle\stage, a clustered location on the SAN that is shared by CJISRAC1 and CJISRAC2. For additional protection, these files are backed up to tape at 3:00 AM using Veritas Backup Exec and then are copied to the NAS via file transfer protocol (FTP) at 4:00 AM.

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4. Database export – At 8:00 PM each day, the “NIGHTLY EXPORT” Oracle Scheduler job creates a logical back up of the database. The job generates the export by running F:\exp\exp_cjis.bat (available on both CJISRAC1 and CJISRAC2) at 8:00 PM each day. The Oracle expdp command actually performs the export. The resulting file (expTODAY.dmp) is stored in the F:\exp folder found on both CJISRAC1 and CJISRAC2. The previous two days’ backups are in the same location with the names expYEST.dmp and expDBY.dmp. This folder is backed up to tape at 3:00 AM each day using Veritas Backup Exec. – Is it FTP’ed to the NAS?
5. Redo log files backup – The CJIS database records all committed transactions in files called online redo logs. Because our database is set up in archive log mode, when one of these log files becomes full or every 15 minutes (whichever comes first), the data is moved so that a the log file can later be reused. Since this process is known as archiving, the old file becomes what is called an archived redo log file. The online and archived redo log files are created on the SAN in the ONLINELOG and ARCHIVELOG folders, respectively, under F:\flashrecovery_area\PROD10G. The archived redo logs are backed up to tape every 30 minutes using Veritas Backup Exec and are copied to the NAS via file transfer protocol (FTP) every 15 minutes.
6. Flash Recovery Area – The redo log files are, as mentioned above, shipped to and stored in a special area on the SAN known as the flash recovery area (F:\flashrecovery_area\PROD10G). This is essentially just another backup of the log files but Oracle allows some special, rapid recovery operations to be performed using the log files stored in this location.
7. Flashback Database – The CJIS database is configured with a mechanism for restoring the database (or an individual object in the database, such as a table) back to the exact state it was in at a specific point in time. Should an object become corrupted due to accidental or malicious actions by the system or a user, the database may be flashed back. We maintain enough data to flashback at least nine hours.

Recovery Mechanisms

1. Data Guard is the primary recovery mechanism for most disasters including server failures, network failures, software malfunctions, natural and man-made disasters, and data corruption. The standby server will be physically located off site and, in most situations, the standby database will be only a few seconds to a few minutes behind the primary database. The standby server is normally inaccessible to users. In the event of a failure in which the primary database cannot be quickly restored, a process known as a failover can be initiated to bring the standby database online for user access within an hour. This will normally result in minimal to no data loss and any lost data can often be restored using redo log files. Once the problem on the primary server is corrected, a

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process known as a switchover would be used to bring CJISRAC1 and CJISRAC2 back online as the primary database and convert CJISDR back to the standby role.

2. In the case of some (primarily user-inflicted) database problems, an Oracle feature known as flashback allows the database (or portions thereof) to be quickly and easily reverted to an earlier point in time using the log files stored in the flash recovery area.
3. Should a restore of the database be necessary, the RMAN backup files may be used for this purpose. These files may be available (in preference order) on the SAN, on the NAS, and on tape.
4. Should a secondary method of restoring the database be necessary, an import (using impdp) may be performed using the files generated by the database export and stored in F:\exp on the RAC servers.
5. In most cases, any data not restored using the above methods may be recovered using the redo log files. These files may be available (in preference order) on the SAN, on the NAS, and on tape.

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CJIS Notify Process

User Manual

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00000254

CJIS Notify Process

The CJIS Notify process is a real time process which captures subpoena data as the data is entered into CJIS. Whenever a subpoena is generated for a Law Enforcement Officer that data is written to a table in the CJIS database.

The second part of the CJIS Notify process is Electronic Letters. The Electronic Letters process kicks off at 7:00 PM, five days a week (Monday – Friday). This is done by an Oracle Management Server job, which runs an Oracle stored procedure. This query is based upon all of the continuance letters that were issued for that day for each of the participating law enforcement agencies (i.e. CCPD). This query returns all of the pertinent information which is normally displayed in a typical letter.

The program then takes the information returned for each agency and writes the information to a table in the database. The table data is used by the *CJIS Notify* web page to quickly display and sort the collected data.

The third piece of the CJIS Notify process is the previously mentioned *CJIS Notify* web page. This is a VB.net website that will reside on a CJIS web server. There are two methods of logging on to the CJIS Notify website (<https://www.cjis20.org/cjisnotify/>); an administrative level in which the user is allowed to view all of the individual agencies subpoena information, and an agency level which is used to display subpoena information specific to that agency. Once an agency has successfully logged in, they are taken to a "Main Menu" page (Figure 1).

Most of the examples in this document are taken from the Subpoena side of the application, but are still representative for the Continuance Letters.

0000255

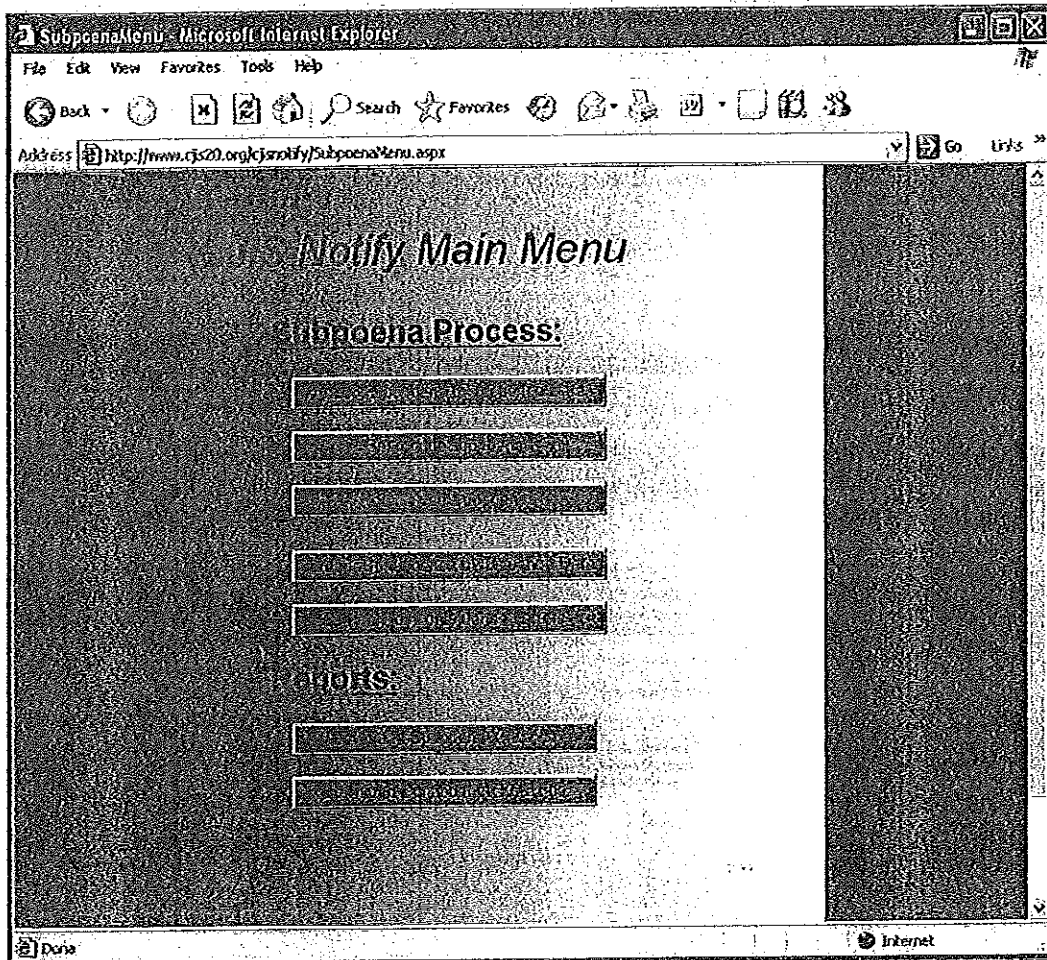


Figure 1- Main Menu

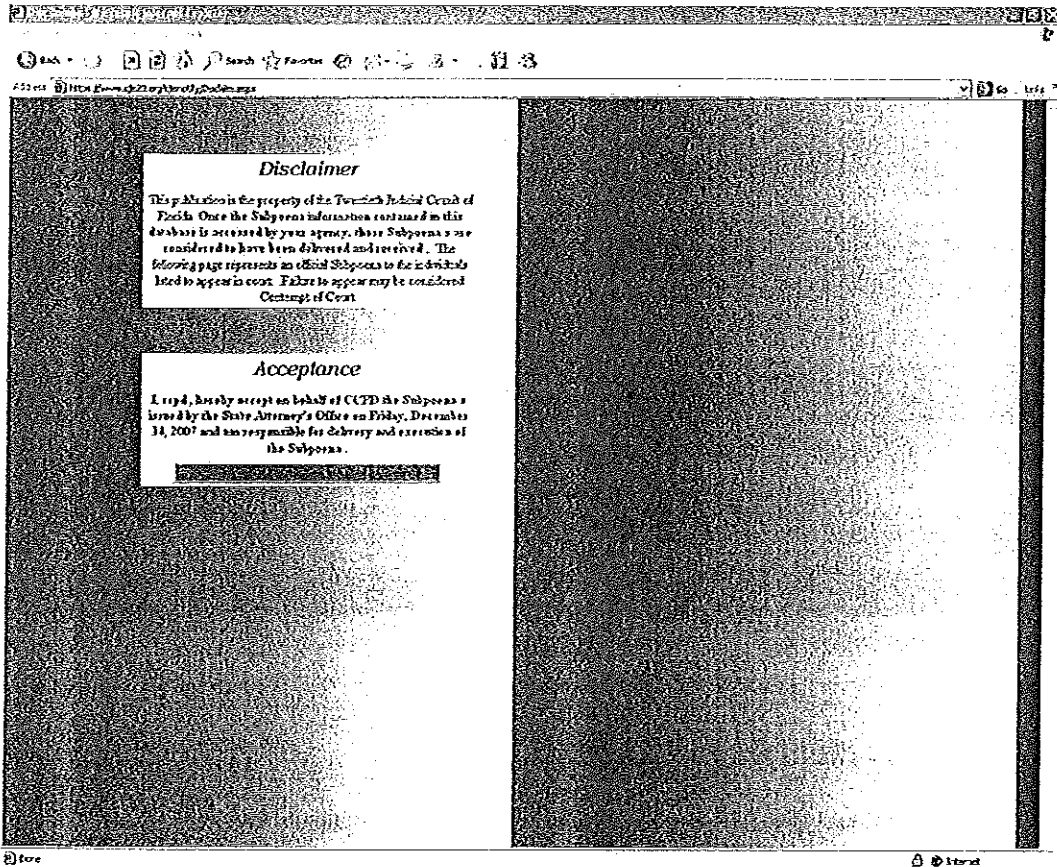
CJIS Notify Main Page

The CJIS Notify Main Menu page contains user controls for six options. They are:

- **Accept Subpoena by Issuance Date** – By pressing this button, the user is taken to a "Disclaimer" page that states that by continuing, the agency is accepting delivery of all the subpoenas for their agency for that day (Figure 2). (The disclaimer has been accepted and acknowledged for the web site).
- **Search for Subpoena** – By pressing this button, the user is taken to a page where they can search for and view Subpoenas that have been issued for their agency prior to that day.
- **Non-Served Subpoenas** – Pressing this button takes the user to a page that displays all of the subpoenas that have been served but have not been accepted or returned by the agency.
- **Accept Continuance Letters by Issuance Date** – By pressing this button, the user is taken to Continuance letter list page. The agency is automatically accepting delivery of all the continuance letters for their agency for that day.
- **Search for Continuance Letters** – By pressing this button, the user is taken to a page where they can search for and view continuance letters that have been issued for their agency prior to that day.

- **Download Subpoena XML File** – By pressing this button, the user can download and view a file that contains all of the information for Subpoenas issued for their agency for that day. The agency can take this file and import it into their systems' database(s).
- **Download Continuance Letter XML File** – By pressing this button, the user can download and view a file that contains all of the information for continuance letters issued for their agency for that day. The agency can take this file and import it into their systems' database(s).

Disclaimer Page



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Figure 2 - Disclaimer

By accepting the disclaimer, the agency acknowledges receipt of the subpoenas for that date, and is taken to the Subpoena List page.

Returning the Subpoena

If the receiving agency wants to return the subpoena for any of the 4 reasons listed, they have to click on the "Return" link for that particular subpoena. Clicking on that link will bring up the page in Figure 5 below.

Return Subpoena

Case Number: 06-501790CF Defendant: ALEVEDO, JASON PHILIP
 Court Date: Monday, June 19, 2006 at 09:00 AM
 Court Room: Courtroom G Judge: Thomas S. Hirsch

Reason for Return: **Select a Reason**
 No longer employed
 Deceased
 Hospitalized
 Military Duty

Case No.	Name	Address	Date	Time	Status
06-501790CF	VOGEL, ROHARD MENZEL	Thomas E. Overton	Monday, June 12, 2006	8:30:00 AM	Courtroom D Served Return
06-501790CF	YAI, FRANCESCO MIA	Lois Frances Chiarella	Tuesday, May 02, 2006	8:30:00 AM	Courtroom E Served Return
06-501790CF	ALEVEDO, JASON PHILIP	Rachel Colson	Monday, June 19, 2006	8:30:00 AM	Courtroom D Served Return
06-501790CF	GUNHAL, SHERRY DAWN	Doris Ochoa	Monday, May 01, 2006	8:30:00 AM	Courtroom F Served Return
06-501790CF	BERNARD, RAY	Doris S. Ochoa	Monday, May 01, 2006	8:30:00 AM	Courtroom F Served Return
06-501790CF	BRITO, ALFONSO	Doris S. Ochoa	Monday, May 01, 2006	8:30:00 AM	Courtroom F Served Return
06-501790CF	WINTON, STADLYNNE	Doris S. Ochoa	Monday, May 01, 2006	8:30:00 AM	Courtroom F Served Return
06-501790CF	VOGEL, ROHARD MENZEL	Dorrell, Cate	Monday, June 12, 2006	8:30:00 AM	Courtroom D Served Return
06-501790CF	HERNANDEZ, DAVID	Josiah Daniels	Monday, May 01, 2006	8:30:00 AM	Courtroom F Served Return
06-501790CF	YAI, FRANCESCO MIA	Doris S. Ochoa	Tuesday, May 02, 2006	8:30:00 AM	Courtroom E Served Return
06-501790CF	ALEVEDO, JASON PHILIP	Yvonne Doherty	Monday, June 19, 2006	8:30:00 AM	Courtroom D Served Return

Figure 5 – Returning the Subpoena

A Reason for Return must be entered. If a reason for return is not entered and the user presses the "Return Subpoena" button, the user will get a message stating that a reason must be given and the subpoena will not be returned. Once a reason is entered and the "Return Subpoena" button is pressed, a message that the subpoena has been returned is displayed and an entry is made in the CJIS Witness Notification table showing when the subpoena was returned and the reason given.

Saving the XML File

By pressing the "Download Subpoena XML" button in the Subpoena List, the user will be asked whether they want to Open the XML file or to Save it. Selecting "Open" will open the file as the current page in the web browser (Figure 6, 7). Pressing "Save" will open a window allowing the user to pick a folder to save the file to and allowing the user to change the name of the file, if so desired (Figure 7).

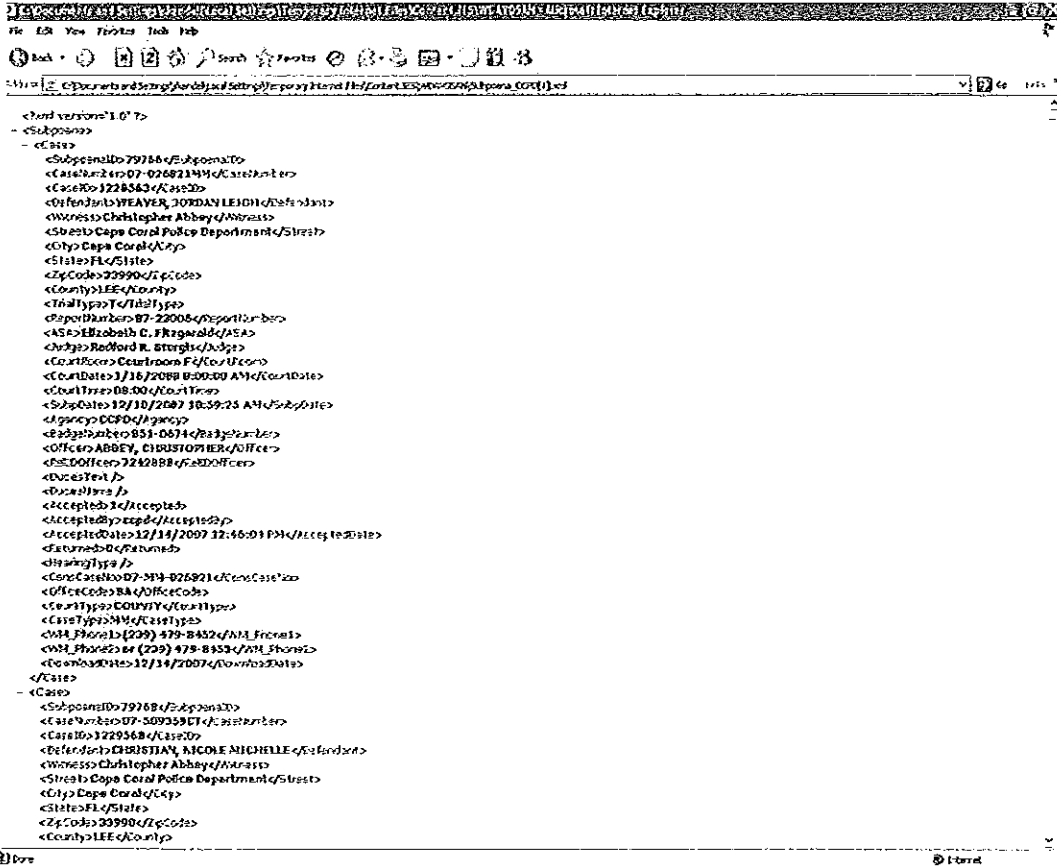


Figure 6 – SA XML File

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Download the XML File

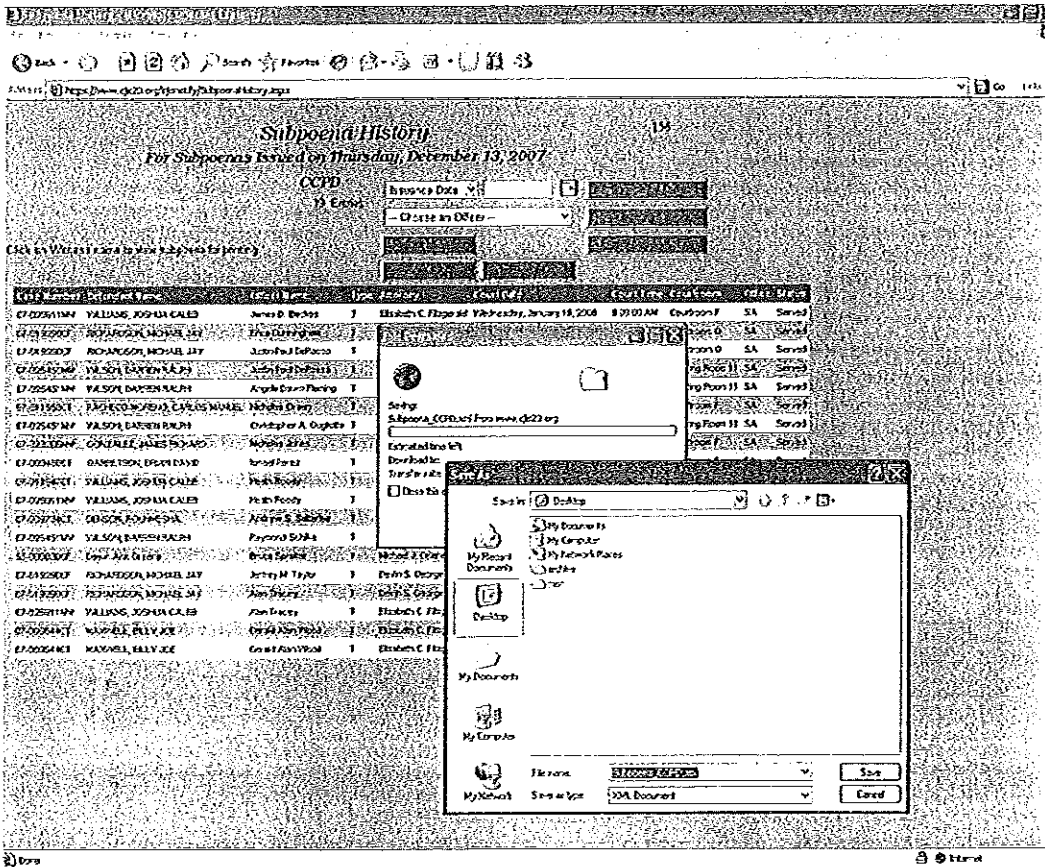


Figure 8 – Saving the XML File

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Subpoena History

Pressing the "Search for Subpoena" button will bring the user to the following screen:

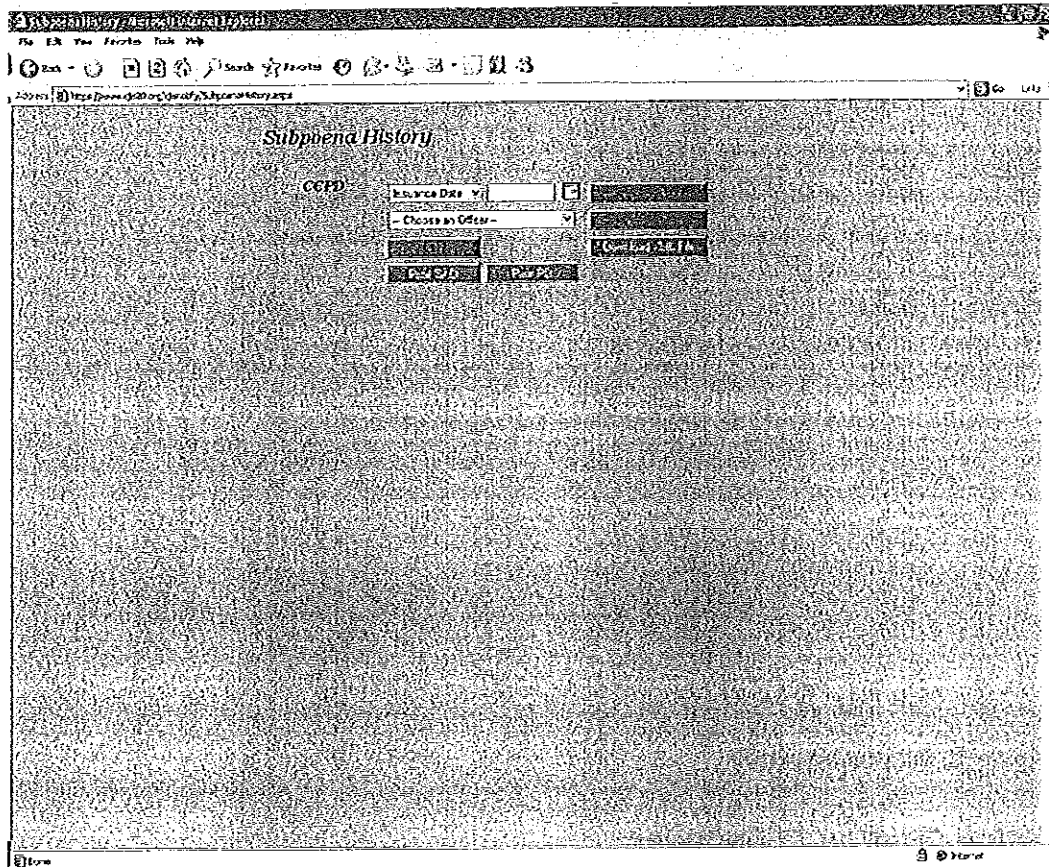


Figure 9 Subpoena History

Entering the Court Date, Issuance Date, or Officer for the subpoenas that are desired and pressing the "Search" button will populate the screen:

00000264

Types of subpoenas used by the SAO Office

Hearing Trial Subpoena

http://www.cjis70.org: Subpoena - Microsoft Internet Explorer

ELECTRONIC SUBPOENA FOR TRIAL IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA CASE NO: 07-CF-020317

vs.
CARTER, KENDELL LETROY

The State Of Florida To:

Jamie Robert Grey, Cape Coral Police Department, Cape Coral, FL 33990

You are commanded to appear before Joseph A. Simpson, Judge of the County Court, at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, Courtroom C , on Monday, December 10, 2007 at 08:30 AM to testify in this action.

YOU MUST CALL WITNESS COORDINATION at (239) 335-2327 or (239) 335-2626 Monday through Friday between 8:30 AM and 5:00 PM upon receipt of this subpoena and the Friday before the above trial date. This is the only subpoena you will receive concerning this case. Do not destroy this subpoena. If this case is continued for any reason and does not go to trial on the above date, you will be notified by mail as to when the case is scheduled for trial. This letter will be forwarded to you by the Witness Coordination Program.

YOU are subpoenaed to appear for the STATE and, unless excused from this subpoena by the attorney or the court, you shall respond to this subpoena as directed. Proper attire is required. If you fail to appear, you may be in contempt of court.

Connie L. Kuhn
Assistant State Attorney

SUBPOENA STATUS

Pending

00000267

Subpoena for VOP Adjudicatory Hearing

https://www.cj620.org - SAO Subpoena - Microsoft Internet Explorer

1 / 1 Main Report 100% Push

ELECTRONIC SUBPOENA FOR VOP HEARING

IN THE CIRCUIT COURT OF THE
TWENTIETH JUDICIAL CIRCUIT IN AND
FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 06-020733CF

vs.

NAEGELE, ANN PARKER

THE STATE OF FLORIDA TO:

Curt Suskevich, Cape Coral Police Department, Cape Coral, FL 33990

You are commanded to appear before Edward J. Volk, Judge of the Circuit Court, at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, Courtroom B on Monday, January 14, 2008 at 8:30 am to testify in this action.

YOU are subpoenaed to appear for the STATE and, unless excused from this subpoena by the attorney or the court, you shall respond to this subpoena as directed. Proper attire is required. If you fail to appear, you may be in contempt of court.

Zachary M. Gill
Assistant State Attorney

SUBPOENA STATUS

Pending

Done Internet

0000269

SA Continuance Letter

https://www.cflc20.org SAO Continuance Letter - Microsoft Internet Explorer

1 / 1 Plain Report 100% Business Object

Witness Coordination Program
3301 E. Tamiami Trail
Collier County Government Complex
Naples, Florida 34112
(239) 732-2701

Tuesday, December 11, 2007

MICHAEL P. GOSS
COLLIER COUNTY SHERIFF'S OFFICE
NAPLES, FL 34112

RE: Case No.: 07-008421CT
State of Florida vs. Stone, Jeremy Azar

Dear MICHAEL P. GOSS
The above styled case has been rescheduled as follows:
Judge: VINCE MURPHY
Monday, January 28, 2008 at 09:00 AM

This rescheduling does not apply to a subpoena for deposition.

You are still under Subpoena and must appear unless this office or the attorney handling the case gives further instructions to you. To confirm your appearance, please call this office the Thursday before the trial week. Failure to do so could result in non-payment for appearing.

Remember to bring your subpoena with you to receive payment for testifying. Proper attire will be required in the courtroom.

Please notify Witness Coordination immediately of any changes in your name, address or telephone number.

Witness Coordination

Done Internet

0000270

https://www.cjir20.org/560/Continuance%20Letter/ Microsoft Internet Explorer

1/1 Main Report 100% Business Object

Witness Coordination Program
3301 E. Tamiami Trail
Collier County Government Complex
Naples, Florida 34112
(239) 732-2701

Tuesday, December 11, 2007

FRANK S. PILARSKI
COLLIER COUNTY SHERIFFS OFFICE
NAPLES, FL 34112

RE: Case No.: 06-002315CF
State of Florida vs. Burks, Richard E.

Dear FRANK S. PILARSKI

This is to inform you that the defendant in the above styled case has failed to appear.
A Bench Warrant for the defendant has been issued and you will be notified of the new trial date.

Please notify Witness Coordination immediately of any changes in your name, address or telephone number.

Witness Coordination

Done Internet

00000271

Types of subpoenas used by the PD Office

Notice of Taking Deposition

Public Defender-Subpoena - Microsoft Internet Explorer

1/1 Main Report 100% Business

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA CASE NO: 06-018256CF MAS

vs

Marc David Giordano

NOTICE OF TAKING DEPOSITION

PLEASE BE ADVISED that the undersigned will take the deposition of the following named persons:

Joshua Silko

BEFORE:

PLACE: Lee County Justice Center Annex, 8th Floor, 2000 Main Street, Fort Myers, Florida 33901
 DAY: Wednesday
 DATE: Wednesday, December 5, 2007
 TIME: As indicated above.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kellum, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena, if you are hearing or voice impaired, call 1-800-955-8771.

I HEREBY CERTIFY that the undersigned counsel for the Defendant has made a good faith effort to coordinate the deposition scheduled as required by FIR Crim.3.220(1), and that a true and correct copy of the above foregoing Notice of Taking Deposition has been furnished to the above-named addressee and to the by hand delivery, this _____ day of _____.

PLEASE BE GOVERNED ACCORDINGLY

DISTRIBUTION:	Public Defender
State Attorney	1700 Monroe Street
Court Reporter	Fort Myers, FL
Date File Copy	33901
File Copy	(239) 335-2911
Witnesses	
Defendant	By: _____
Court Liaison	Of Counsel - Mary E. Fletcher

00000272

Notice of Deposition Cancellation

Public Defender Subpoena - Microsoft Internet Explorer

1/1 Main Report 100%

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA CASE NO: 06-018256CF MAS

vs

Marc David Giordano

NOTICE OF DEPOSITION CANCELLATION

PLEASE BE ADVISED that the previously scheduled deposition(s) of the following named person(s) has been cancelled:

Joshua Silko

PLACE: Lee County Justice Center Annex, 8th Floor, 2000 Main Street, Fort Myers, Florida 33901

DAY: Wednesday

DATE: Wednesday, December 5, 2007

TIME: As indicated above.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the honorable Stephen B. Russell, State Attorney,

PLEASE BE GOVERNED ACCORDINGLY

DISTRIBUTION:	Public Defender
State Attorney	1700 Monroe Street
Court Reporter	Fort Myers, FL
Date File Copy	33901
File Copy	(239) 335-2911
Witnesses	
DeRendant	By: _____
Court Liaison	Of Counsel - Mary E. Fletcher

0000273

Subpoena for Deposition

Public Defender Subpoena - Microsoft Internet Explorer

1/1 Main Report 100% Business

SUBPOENA FOR DEPOSITION

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL
CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA
vs
Marc David Gomburo

CASE NO: 06-018256CF MAS

THE STATE OF FLORIDA TO:

Joshua Silbo
Cape Coral Police Department
Cape Coral, FL 33990

NAME:
PLACE: Lake Havasu Arizona
DATE: Wednesday, December 12, 2007
TIME: 09:00 AM

If you fail to appear, you may be in contempt of court. You are subpoenaed to appear by the Public Defender's Office and only the attorney listed below (Mary E. Fletcher) can excuse you from this appearance. You shall respond to this subpoena as directed. Proper attire is required.

Be prepared to discuss any information contained in any reports, which you have written or of which you have knowledge relating to this case. It is recommended that you bring with you any notes, records, documents and other information available to you.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kellum, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena; if you are hearing or voice impaired, call 1-800-955-8771.

Public Defender
1700 Monroe Street
Fort Myers, FL
33901
(239) 335-2911

By:
Of Counsel - Mary E. Fletcher
Florida Bar No. 0152722

0000274

Subpoena Duces Tecum Deposition

Public Defender Subpoena - Microsoft Internet Explorer

1 / 1 Main Report 100%

SUBPOENA DUCES TECUM DEPOSITION

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA vs Jessica Jenae Alfred

CASE NO: 03-00907MM JG

THE STATE OF FLORIDA TO: Joseph Zahrecki
Cape Coral Police Department
Cape Coral, FL 33990

NAME:
PLACE: Barrier Reef Australia
DATE: Thursday, December 6, 2007
TIME: 09:00 AM

These items will be inspected and maybe copied at the time. You will not be required to surrender the original items.

If you fail to appear as specified or if you fail to furnish the information requested, you may be in contempt of court. You are subpoenaed to appear by the Public Defender's Office and only the attorney listed below can excuse you from this appearance. You shall respond to this subpoena as directed. Proper attire is required.

Be prepared to discuss any information contained in any reports, which you have written of of which you have knowledge relating to this case. It is recommended that you bring with you any notes, records, documents and other information available to you.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kellum, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena; if you are hearing or voice impaired, call 1-800-955-3771.

Public Defender
0 -
By:
Of Counsel -
Florida Bar No. 0

00000275

Subpoena for Hearing

Public Defender/Subpoena - Microsoft Internet Explorer

1 / 1 Main Report 100% Business

SUBPOENA FOR HEARING

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL
CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE vs

Jessica Jenae Alfred

THE STATE OF FLORIDA TO:

Joseph Zakroski
Cape Coral Police Department
Cape Coral, FL 33990

CASE NO: 05-004007MM JO

PLACE: Courtroom 3B,
DATE: Tuesday, December 4, 2007
TIME: 09:00 AM

If you fail to appear, you may be in contempt of court. You are subpoenaed to appear by the Public Defender's Office and only the attorney listed below can excuse you from this appearance. You shall respond to this subpoena as directed. Proper attire is required.


Be prepared to discuss any information contained in any reports, which you have written or of which you have knowledge relating to this case. It is recommended that you bring with you any notes, records, documents and other information available to you.

You must call (collect calls accepted) immediately upon receipt of this subpoena.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kellum, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena; if you are hearing or voice impaired, call 1-800-955-8771.

Public Defender

0-

By: 

Of Counsel -

Florida Bar No. 8

00000276

Subpoena Duces Tecum for Trial

Public Defender Subpoena - Microsoft Internet Explorer

1 1/1 Main Report 100% Business

SUBPOENA DUCES TECUM FOR TRIAL

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 06-01973-CFB JAS

vs

Yosbel Soto Insula

THE STATE OF FLORIDA TO:

Joseph Zakarski
Cape Coral Police Department
Cape Coral, FL 33990

PLACE: Courtroom 3D,
DATE: Tuesday, December 4, 2007
TIME: 12:00 PM

You must bring the following with you. It happened fast. Josh Alford's new Heritage Softtail had just topped 60 MPH on the Old Sorocita Highway south of Tucson when a stray cow decided to cross the road fifty yards ahead. Hearing the intermittent sble of wheels on dirt, the huge spotted heifer stopped in the middle of the narrow span and turned toward the approaching motorcycle. With a look of terror it tried to bolt forward, but not fast enough to prevent the left crash bar of the Harley from swiping its rear flank. Braying in pain,

If you fail to appear as specified; or if you fail to furnish the information requested, you may be in contempt of court. You are subpoenaed to appear by the Public Defender's Office and only the attorney listed below (I can excuse you from this appearance. You shall respond to this subpoena as directed. Proper attire is required.

Be prepared to discuss any information contained in any reports, which you have written or of which you have knowledge relating to this case. It is recommended that you bring with you any notes, records, documents and other information available to you.

YOU MUST CALL AND SPEAK WITH OUR WITNESS MANAGEMENT COORDINATOR upon receipt of this subpoena at (collect calls accepted). This is the only subpoena you will receive concerning this case. Do not destroy this subpoena. This subpoena is in effect until the case is closed.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kelburn, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena; if you are hearing or voice impaired, call 1-800-955-8771.

Public Defender

0-

By:

Of Counsel -

Florida Bar No. 0

00000277

Subpoena for Trial

Public Defender Subpoena - Microsoft Internet Explorer

1 / 1 Main Report 100%

SUBPOENA FOR TRIAL

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA

vs

Cecilia Skye Cross

THE STATE OF FLORIDA TO:

Joseph Zabenski
Cape Coral Police Department
Cape Coral, FL 33990

CASE NO: 07-017144CF A JAS

If you fail to appear as specified; or if you fail to furnish the information requested, you may be in contempt of court. You are subpoenaed to appear by the Public Defender's Office and only the attorney listed below () can excuse you from this appearance. You shall respond to this subpoena as directed. Proper attire is required.

Be prepared to discuss any information contained in any reports, which you have written or of which you have knowledge relating to this case. It is recommended that you bring with you any notes, records, documents and other information available to you.

YOU MUST CALL AND SPEAK WITH OUR WITNESS MANAGEMENT COORDINATOR upon receipt of this subpoena at (collect calls accepted). This is the only subpoena you will receive concerning this case. Do not destroy this subpoena. This subpoena is in effect until the case is closed.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Ken Kelton, Court Operations Manager, Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, (239) 533-1700, within two working days of your receipt of this subpoena; if you are hearing or voice impaired, call 1-800-955-8771.

Public Defender
,
0 -
By:
Of Counsel -
Florida Bar No. 0

00000278

PD Continuance Letter

https://www.cjis2d.org - PD Continuance Letter - Microsoft Internet Explorer

1/1 Main Report 100%

**OFFICE OF THE PUBLIC DEFENDER
LEE COUNTY JUSTICE CENTER
P.O. BOX 1989
FORT MYERS, FL 33902
(239) 335-2557**

December 11, 2007

Elaine M. Fisherty
Lee County Sheriff's Office,
Fort Myers, FL 33912

RE: Case No.: 05-016710CP A
State of Florida vs. Henry, Eugene H.
Edward J. Volt
January 03, 2008 at 08:30 AM

Dear Elaine M. Fisherty,

The above-styled case has been rescheduled as shown above.

You are still under subpoena and must appear unless this office or the attorney handling the case gives further instructions to you. To confirm your appearance, please call this office the Monday before the trial week. Failure to do so could result in non-payment for appearing.

Remember to bring your subpoena with you to receive payment for testifying. Proper attire will be required in the courtroom.

This rescheduling does not apply for a subpoena for deposition.

Please notify Witness Management immediately of any change in your name, address or telephone number.

Witness Management

Done Internet

00000279

Supreme Court of Florida

No. AOSC08-90

IN RE: ELECTRONIC TRANSMISSION AND FILING OF
DOCUMENTS UNDER FLORIDA RULE OF JUDICIAL
ADMINISTRATION 2.525 FOR LEE COUNTY

ADMINISTRATIVE ORDER

Pursuant to rule 2.525, Florida Rules of Judicial Administration, “[a]ny court or clerk of court may accept electronic transmission of documents for filing after the clerk, with input from the chief judge of the circuit, has obtained approval of the procedures and program for doing so from the Supreme Court of Florida.”

The Lee County Clerk of Court has requested authorization to implement an electronic process for a CJISNotify Document Portal. The Electronic Filing Committee of the Florida Courts Technology Commission, pursuant to the procedure established by the Supreme Court, reviewed the request and recommended that the Supreme Court of Florida approve the request from Lee County. The Florida Courts Technology Commission concurred with the recommendation of the Electronic Filing Committee.

Attachment B

00000280

Accordingly, the Lee County Clerk of Court's request to implement electronic filings and electronic signatures for arrest affidavits and uniform traffic citations, is hereby approved subject to the following terms and conditions:

- a. The Lee County Clerk of Court may implement the aforementioned technology procedures in accordance with the approved plan effective on the date of this order.
- b. The Lee County Clerk of Court shall ensure that there is no possibility for vendors to release or distribute court data to third parties and that the Clerk of Court retains the designation as custodian of the court records.
- c. The Lee County Clerk of Court shall ensure that contract provisions prohibit any vendor from extracting, data mining, or engaging in similar activities with regard to information from original court filings and other court records or any associated databases containing court records in the circuit for commercial or other non-court related uses.
- d. The Lee County Clerk of Court shall ensure that no fees other than statutorily required fees can be assessed or collected by the Clerk of Court.

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- e. The Lee County Clerk of Court shall ensure that remote data backups will be stored in a protected environment that is not subject to the same risks as the primary site of the court record, and that the circuit will comply with established data backup standards as they are revised and updated.
- f. The Lee County e-process system addressed in this administrative order does not eliminate paper and, therefore, does not fall within the definition of rule 2.525, Florida Rules of Judicial Administration, as it relates to the electronic filing of documents. Accordingly, a 90-day pilot period is not required nor are 90-day pilot period progress reports required.
- g. This approval does not constitute an approval of any electronic forms that may be used in this process.
- h. The Lee County Clerk of Court shall abide by In re: Revised Interim Policy on Electronic Release of Court Records, AOSC07-49 (Fla. Sept. 7, 2007).
- i. The Clerk of Court for Lee County shall ensure that the e-process system complies with the Americans with Disabilities Act of 1990 and the Section 508 standards as incorporated into Florida law, and is accessible to users with disabilities. Furthermore, if the system is

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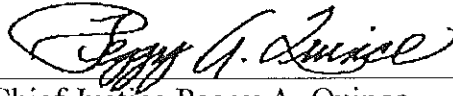
amended, updated, or improved in the future, the Clerk of Court for Lee County shall continue to ensure that the system complies with the Americans with Disabilities Act of 1990 and the Section 508 standards as incorporated in Florida law.

- j. The Supreme Court anticipates the approval of a statewide e-filing “portal” to ensure equal access to electronic filing across the state and has directed that the Florida Courts Technology Commission make implementation of such a system a priority of the judicial branch. All local electronic filing systems must be compatible with the statewide electronic filing portal and approval of Lee County’s request is contingent on the system’s compatibility with the statewide portal when it is approved.
- k. At the present time, the Court is considering enhancements to current electronic filing practices throughout the State. There is a possibility that these enhancements may include the development and application of new business practices and technology standardization. Because these enhancements may occur in the near future, it will be the responsibility of the Clerk of Court for Lee County to ensure that functionality of the proposed system related to electronic court

00000289

records will also be made compliant with these new technological enhancements.

DONE AND ORDERED at Tallahassee, Florida, on November 19, 2008.

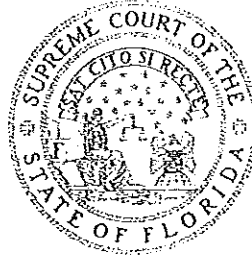


Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall
Clerk, Supreme Court



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CIRCUIT COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

JUN 11 2008
G. KEITH CARY
CIRCUIT JUDGE

COURTHOUSE CENTER
175 N.W. FIRST AVENUE
MIAMI, FLORIDA 33128

JUDITH L. KREEGER
CIRCUIT JUDGE

June 9, 2010

The Honorable G. Keith Cary
Chief Judge, Twentieth Judicial Circuit
Lee County Justice Center
1700 Monroe Street
Fort Myers, Florida 33901

Re: Florida Courts Technology Commission

Request for implementation of CJISNotify in Charlotte, Collier, Glades, and Hendry counties

Dear Judge Cary:

Administrative Order AOSC07-63 provides that, "All recommendations made by the Electronic Filing Committee will be reviewed and approved by the Chair of the Florida Courts Technology Commission (FCTC), prior to submission to the Supreme Court for final action."

The purpose of this letter is to inform you that on June 2, 2010 the Electronic Filing Committee (EFC) approved the request to expand and implement the CJISNotify system in Charlotte, Collier, Glades, and Hendry counties in an effort to improve upon the process of issuing notices to appear. Based on your letter dated May 18, 2010 and the Lee County application from 2008, it is my understanding that this notification system automatically sends out electronic "notices to appear" to law enforcement agencies through the circuit-based Criminal Justice Information System (CJIS); the CJISNotify system will eliminate the need to produce a paper notification to officers of participating law enforcement agencies; the system will provide electronic access to documents that will replace the delivery of hardcopy subpoenas; the clerk will be storing the subpoena in its paper format, as well as maintaining a scanned electronic image; CJISNotify will store data rather than document images; and that data will be captured in 'real time' as the subpoena is being processed.

Attachment C


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An additional review was undertaken by the FCTC and the request was approved on June 3, 2010. The 20th Judicial Circuit has certified that the system complies with the current technical and functional standards, guidelines and approved ADA-508 compliance standards.

Approval of this electronic initiative is contingent upon compliance with the policy considerations and directives regarding the development and application of new technological standardization and enhancements as set forth by the Supreme Court. Since this process is categorized at a low complexity level and falls under the definition approved by the Supreme Court on September 5, 2007, no further review or action is required. Therefore, as Chair and on behalf of the Florida Courts Technology Commission, the 20th Judicial Circuit's request to implement the CJISNotify system to issue electronic "notices to appear" is hereby approved.

Should you have any questions regarding the approval process, please do not hesitate to contact my office.

Sincerely,


Judith L. Kreeger
Chair, Florida Courts Technology
Commission

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- cc: The Honorable Manuel Menendez, Jr.
Richard Callanan, Trial Court Administrator
Lisa Kiesel, Chief Deputy Court Administrator
Craig McLean, Information Services Director
The Honorable Barbara T. Scott, Charlotte County Clerk of Court
The Honorable Dwight E. Brock, Collier County Clerk of Court
The Honorable Joe Flint, Glades County Clerk of Court
The Honorable Barbara S. Butler, Hendry County Clerk of Court
Chris Noel, State Courts Technology Officer (CIO)