

IOP 3.3 | THE CLERK

3.3.1 Appointment

The court shall appoint a clerk who shall hold office at the pleasure of the court and perform such duties as the court directs. Florida Rule of Judicial Administration 2.210(b) and section 35.22, Florida Statutes, provide details concerning the appointment and general duties of the clerk. The clerk's office shall be at the headquarters of the court. The clerk shall devote full time to the duties of the office and shall not engage in the practice of law or any other business while occupying the office of clerk.

3.3.2 Court Files and Records

The clerk of the court shall keep an official electronic file on each case invoking the court's jurisdiction and the file shall contain the motions, records, briefs, and other documents filed with the court. In accordance with the requirements of rule 2.210(b)(2), the official files shall remain in the custody of the clerk and any physical files shall not be removed from the court except electronically through iDCA or eDCA, to conduct oral argument at other designated locations, or by a judge or the clerk of the court pursuant to court policy and rules or by order of the court.

In addition to the official file, the clerk shall maintain an electronic correspondence file as part of each case. Letters and other documents submitted to the court or any of the judges or their staff from an organization or person outside the court shall be available for inspection by the public except those exempted by statute, rule or court order. The electronic correspondence file shall also contain documents produced from within the court including the work papers, summaries, opinions not yet released, and all of the other materials that are the work product of the court. These materials shall not be available for inspection, except that the official opinion or order of the court shall be available for inspection when it has been filed in the official court file and sent to the parties.



3.3.3 Internal Operating Procedures

The clerk maintains a copy of the Internal Operating Procedures Manual as a court record. This record is available in the clerk's office for inspection by any interested person during business hours, or on the court's website at any time. The clerk reviews these procedures annually to ensure their accuracy and informs the court when there is a need to change these procedures to conform to any policy or practice.

3.3.4 Orders

The clerk shall issue unpublished orders of the Court under his or her signature unless otherwise directed by the judge or judges who approved the order.

