

Supreme Court of Florida

No. AOSC19-73

IN RE: WORKGROUP ON IMPROVED RESOLUTION OF CIVIL CASES

ADMINISTRATIVE ORDER

Florida's State Courts System manages more than two million civil case filings annually in its trial courts. Administering the limited resources available to move these cases through the judicial system fairly and without unnecessary delay is a challenging task. Florida's judicial branch is committed to continual improvement of the administration of justice, including enhancement of civil case management processes in order to deliver justice in a timely, cost-efficient, and accountable manner while maintaining due process.

The Judicial Management Council (hereinafter "Council") serves as a focused advisory body that assists the chief justice and the Court. The Council is charged, among other responsibilities, with identifying and evaluating information that would assist in improving the performance and effectiveness of the judicial branch. Additionally, Florida Rule of Judicial Administration 2.225 encourages the chief justice and Court to consider referring significant issues with judicial branch policy implications to the Council prior to the creation of any new committees.

Accordingly, the Workgroup on Improved Resolution of Civil Cases (hereinafter “Workgroup”) is hereby established within the Council. The Workgroup shall be guided by the goals of The Long-Range Strategic Plan for the Florida Judicial Branch 2016-2021, including but not limited to Goal 1.2 (Ensure the fair and timely resolution of all cases through effective case management.) and Goal 1.3 (Utilize caseload and other workload information to manage resources and promote accountability.). The Workgroup shall:

1. Review the following:
 - a. The civil case management recommendations endorsed in 2016 by the Conference of Chief Justices and the Conference of State Court Administrators and the outcomes of pilot projects or other initiatives that have implemented these recommendations in this and other states.
 - b. Recent initiatives in other states wherein rules of court were amended or other measures were taken to achieve timelier, more cost-effective, or otherwise improved resolution of civil cases.
 - c. Laws, rules of court, and practices that have improved the management and resolution of civil cases in the federal court

system and that, if adopted in Florida, would improve the resolution of civil cases.

2. Examine this state's laws, rules of court, and practices relating to civil procedure and case management to determine whether changes can be made to improve the resolution of civil cases. Such examination shall include consideration of whether this state's laws and rules of court sufficiently address and deter a failure to prosecute, a violation of discovery, presentation of an unsupported claim or defense, and causation of an improper delay in litigation.
3. Make recommendations, if warranted, to improve the resolution of civil cases and propose any revisions in this state's laws, rules of court, or practices necessary to implement the Workgroup's recommendations.

The Workgroup shall complete: a) an interim report by August 14, 2020, describing its progress in addressing the charges and specifying any findings and recommendations it may have developed by that time; and b) a final report of its findings and recommendations by June 30, 2021. Before submission to the Council, the Workgroup shall present its findings and recommendations to the Commission on Trial Court Performance and Accountability and to the relevant rules committees of The Florida Bar for comment. Consistent with its procedures,

the Council will submit the Workgroup's reports, along with the Council's comments and recommendations, to the chief justice through the state courts administrator.

The following persons are appointed to serve on the Workgroup for a term that expires on June 30, 2021:

The Honorable Jennifer Bailey
Circuit Court Judge, Eleventh Judicial Circuit

Mr. Kenneth B. Bell
Attorney at Law, Tallahassee

Mr. Thomas S. Edwards, Jr.
Attorney at Law, Jacksonville

Mr. Scott G. Hawkins
Attorney at Law, West Palm Beach

The Honorable Robert Lee
County Court Judge, Broward County

The Honorable Robert Morris
Appellate Judge, Second District Court of Appeal

The Honorable Donald A. Myers, Jr.
Chief Judge, Ninth Judicial Circuit

The Honorable Christopher C. Nash
Circuit Court Judge, Thirteenth Judicial Circuit

Mr. Eugene K. Pettis
Attorney at Law, Fort Lauderdale

The Honorable Robert Morris shall serve as chair to the Workgroup. Staff support shall be provided by the Office of the State Courts Administrator.

The Workgroup may function as a committee comprised of all members or as one or more subcommittees to consider specific issues. The chair is authorized to establish one or more subcommittees as may be required to effectuate the Workgroup's charges. Moreover, the chair may recommend, for the chief justice's consideration, the appointment of persons, as ad hoc subcommittee members, who are not members of the Workgroup but whose input may be required on selected issues.

The Workgroup must be cognizant of the limitations on the resources available to support its efforts as it develops a work plan that will accomplish the important tasks assigned in this administrative order. With regard to meetings, the Workgroup should strive to utilize the most economical means appropriate to the type of work being accomplished.

DONE AND ORDERED at Tallahassee, Florida, on October 31, 2019.

Char. T. Canady

Chief Justice Charles T. Canady

ATTEST:

[Signature]
John A. Tomasino, Clerk of Court

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