



**INTERNAL OPERATING PROCEDURES
FIRST DISTRICT COURT OF APPEALS, FLORIDA
SECTION IV: GENERAL POLICIES AND PROCEDURES**

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INTERNAL OPERATING PROCEDURES | 1DCA (FL)

SECTION: IV

TITLE: GENERAL POLICIES AND PROCEDURES

RULES: 4.1 through 4.4



IOP 4.1 | RECUSAL AND DISQUALIFICATION OF JUDGES

In order to facilitate the assignment of cases, the clerk maintains a list for each active judge of persons or entities who are likely to appear before the court and whose involvement in a proceeding will require the judge's recusal. Each judge is responsible for keeping the clerk informed as additions to or deletions from this recusal list come to the judge's attention.

The court recognizes that the clerk's recusal list will not identify all cases involving conflicts. Parties may submit for information, on the docketing statement, a list of judges of this court who they believe should not be assigned to the case for conflict reasons. However, this listing on the docketing statement does not supplant the need to file an appropriate separate motion if a party seeks to disqualify a judge.

If a judge identifies a conflict necessitating recusal from a case on which the judge has been assigned, the judge shall notify the clerk, who will designate a substitute judge based upon a rotation system. If the judge identifying the conflict is the primary judge on the case, the judge's staff will usually remain involved to assist the substitute judge to the extent possible or necessary.



IOP 4.2 | DISCLOSURE OF ASSIGNED JUDGE

No court personnel shall divulge to any person other than the judges of the court and other personnel of the court the identity of the judge or panel to which a case is assigned; nor the identity of the judge or panel in which a file is at any time reposed; nor the identity of the judge or panel in which any pending motion, petition, case or other matter which has not been scheduled to be orally argued is reposed or being considered; nor shall court personnel divulge the identity of the author of any signed opinions prior to the public release of the opinion; nor ever release the identity of the writer of an unsigned opinion.

The identity of the panel scheduled to hear oral argument in a case may be posted or otherwise revealed once the schedule for argument is posted or published on the court's website.

IOP 4.3 | ADMINISTRATIVE COURT CONFERENCES

Court conferences to consider administrative matters and the adoption of policies are scheduled by the chief judge as needed, generally on a monthly basis. Additional conferences for special matters are called by the chief judge or upon request of four or more judges. The presence of a majority of judges of the court constitutes a quorum. Whenever possible, the court attempts to act upon a consensus vote of the judges, but a majority vote of those present constitutes official action of the court, except as provided in section 4.4. The clerk serves as the secretary to the conference and is responsible for preparing the minutes. The marshal and the director of central staff also attend the conference. Other court personnel attend as necessary and upon the invitation of the chief judge.

Fourteen (14) calendar days prior to court conference, the chief judge shall email a reminder to each judge of the court, the clerk, the marshal, and the director of central staff regarding the date and time of the court conference. The email shall also request submissions for the court conference agenda. The court conference agenda, with any appropriate attachments, shall be distributed to the court by the chief judge seven (7) calendar days prior to court conference. Only matters appearing on the agenda shall be taken up at court conference unless a majority of those judges in attendance, upon a showing of good cause relating to the failure to timely include the matter on the court conference agenda, vote to consider other matter(s).



IOP 4.4 | REVOCATION OR AMENDMENT OF INTERNAL OPERATION PROCEDURES

An affirmative vote of a majority of the judges of the court is necessary to revoke these internal court policies or to enact amendments to them. Proposed amendments must be circulated to the judges of the court not less than seven days prior to any meeting at which a judge intends to call for a vote to add, amend, or revoke any of these internal court policies. These notice requirements may only be waived by unanimous affirmative vote of all active judges of the court.



APPENDIX



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