

	day along with self-addressed and stamped envelopes for all parties. Upon written approval by the Court, the original Agreed Pretrial Conference Order will be filed with the Clerk of Court, a copy served on all counsel and/or parties of record, and the Pretrial Conference shall be cancelled. If the Court does not approve the Agreed Pretrial Conference Plan, the Pretrial Conference will not be cancelled.
For Collier County	The Magistrate at the Pretrial Conference

In the event the parties are unable to agree on all matters in the Pretrial Conference Order, they shall leave the unagreed matter(s) blank and same will be resolved at the Pretrial Conference with the Court.³

D. Motions. All motions, except Motions in Limine, shall be filed prior to the date of the Pretrial Conference or they are deemed abandoned. All dispositive motions, including Motions for Summary Judgment, **must be filed and scheduled for hearing at least ten (10) days prior to the Pretrial Conference and must be heard no later than 30 days prior to the commencement of the trial period.** Motions in Limine **must be filed by the earlier of docket sounding or 10 days prior to the commencement of the trial period and must be heard no later than 10 days prior to the date of the trial.** Motions not filed and scheduled in compliance with this Order will be heard only upon a showing of good cause.

E. Discovery. Counsel shall complete all discovery, including examinations and Frye hearings, pursuant to the Plan, if any. The conduct of discovery subsequent to the Pretrial Conference will be allowed only as permitted by the Plan, upon stipulation of the parties or upon Order of the Court for good cause. Any discovery allowed subsequent to the Pretrial Conference shall not be a cause for delay of the trial of this cause.

F. Alternative Dispute Resolution.

For Lee County	All parties are required to participate in mediation or other Alternative Dispute Resolution prior to trial. Unless alternative dispute resolution has already occurred at the time this order is issued and a report has been filed with the Clerk of Court, or the parties file a stipulation agreeing to a mutually acceptable mediator setting forth the name of the mediator, and date and place set for mediation within 10 days after the issuance of this Order, Court Mediation will schedule this cause for mediation. Scheduled mediation may be cancelled only upon Court order.
For Collier County	Alternative Dispute Resolution should have already

³ Any disputes between the parties regarding the Uniform Pretrial Conference /Trial Order will be resolved at the Pretrial Conference by the Magistrate or Judge. If the Magistrate conducts the Pretrial Conference, the Magistrate shall issue a Report and Recommended Order to the Judge on all such disputed issues. A final Uniform Pretrial Conference /Trial Order will be issued by the Judge once any timely exceptions have been filed and heard to the Report and Recommended Order of the Magistrate.

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	occurred at the time this order is issued and a report was filed with the Clerk of Court.
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G. Settlement. In the event of settlement at any time prior to trial, Plaintiff's Counsel shall immediately notify the Court and submit a stipulation for an Order of Dismissal and a Final Disposition form.

H. Representation and Authority. In order for the full purpose of the Pretrial Conference procedures to be accomplished, each party shall be represented at all meetings and hearings required herein by the attorney who will participate in the trial of the cause and who is vested with full authority to make admissions and disclosure of facts, and to bind the client by agreement in respect to all matters pertaining to the trial of this cause and the Pretrial Conference Order.

I. Continuances. This Court adheres strictly to Rule of Judicial Administration 2.545(e) and Rule of Civil Procedure 1.460. Accordingly, motions for continuance and stipulations must be in writing and set forth the following:

1. The signature of the party as well as the attorney.
2. A concise statement of the reasons for a continuance. If based on non-availability of a witness, a showing of when it is believed the witness will be available must be stated.

Any stipulation must be approved or motion heard by the Court no later than docket sounding. No Motion will be heard that is not in compliance with this Order except upon good cause shown.

5. Notice

Plaintiff, or if represented, Counsel for Plaintiff is directed to review this Order to ensure that it was sent to all proper persons at current, proper addresses. The failure to immediately notify the Court may result in this matter not being heard at the scheduled time.

6. Sanctions

The failure to comply with the requirements of this Order may subject the party and/or attorney to appropriate sanctions, including the award of attorneys' fees, fines, striking of pleadings, and/or dismissal of the case.

DONE AND ORDERED in Chambers, _____ County, Florida on this _____ day of _____, 20____.

Circuit Judge

Insert ADA language by County here

00000424

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
_____ COUNTY, FLORIDA CIVIL ACTION

CASE NO:

Plaintiff(s)

vs

Defendant(s).

**UNIFORM ORDER SETTING JURY TRIAL/NON-JURY TRIAL
PRETRIAL CONFERENCE**
(Approved Case Management Plan)

THIS CAUSE comes before the Court on the Approved Case Management Plan of the Parties (the "Plan"). Under the Plan this cause may be set for trial at this time pursuant to Rule 1.440, Florida Rules of Civil Procedure, and it appearing this cause is otherwise at issue, it is hereby:

ORDERED AND ADJUDGED as follows:

1. **Pretrial Conference**

For Lee County	A Pretrial Conference is scheduled on (date) _____ at (time) _____ in Courtroom (#) _____, _____ Floor, (location) <u>Lee County Justice Center, 1700 Monroe St., Ft. Myers, FL 33901</u> , pursuant to Rule 1.200 of the Florida Rules of Civil Procedure, FOR THE PURPOSE OF COMPLETION AND CONFIRMATION OF THE ATTACHED PRETRIAL CONFERENCE ORDER FORM.
For Collier County	Counsel for Plaintiff is ordered to schedule a Pretrial Conference through _____ the _____ JACS _____ System (www.ca.cjis20.org/web/services/jacs.asp) before Magistrate _____, at the Collier County Courthouse, Naples, FL 34112, Hearing Room 3-3 within forty-five (45) days of the date of the conclusion of Mediation or Alternative Dispute Resolution not resulting in settlement or disposition of the entire action. Sufficient and reasonable notice shall be given of the date and time of the Pretrial Conference to all parties.

2. **Attendance at Pretrial Conference**

For Lee County	Appearance at the Pretrial Conference by lead counsel trying the case and all pro-se parties is mandatory UNLESS an Agreed Pretrial Conference Order (using the attached form) has been submitted to the Civil Case Manager at least 7 calendar days in
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	advance of the scheduled Pretrial Conference <u>and</u> an Order approving the Agreed Pretrial Conference Order has been entered by the Court.
For Collier County	Appearance at the Pretrial Conference by lead counsel trying the case and all pro-se parties is mandatory even if an agreement is reached on the form of the Pretrial Conference Order. If the Pretrial Conference is held before the Magistrate, represented parties may appear by telephone. Parties wishing to appear by telephone shall make arrangements with the Court through Court Call no later than ten (10) days prior to the Pretrial Conference. If any objection is made to the Magistrate conducting the Pretrial Conference, the Judge will conduct the Pretrial Conference and lead counsel, all represented parties, and all pro-se parties must attend in person.

3. **Trial Period**

For Lee County	This cause is set for trial during the <i>[# of weeks]</i> week trial period <i>[beginning & ending date of trial period]</i> in Courtroom <i>[#]</i> , <i>[# Floor]</i> , Lee County Justice Center, 1700 Monroe Street, Fort Myers, Fl 33901, before the undersigned judge. Docket Sounding will be held on <i>[date]</i> at <i>[time]</i> in Courtroom <i>[#]</i> . <i>[# days]</i> have been requested for this trial. The Court will continue this trial if it appears that additional time is required and the other cases set for this trial period are jeopardized. In the event this trial is commenced and it becomes apparent that sufficient time was not requested, a mistrial may be declared and costs assessed against the party causing the over-run.
For Collier County	The Court will confirm a trial period at the Pretrial Conference.

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4. **Pre-trial Events**

A. **Exchange of Expert & Lay Witnesses.** No later than thirty (30) days prior to the Pretrial Conference date, counsel and/or parties shall file and exchange a list of the names and addresses of **all** witnesses they in good faith intend to call at trial and include a concise statement of facts about which the witness will testify or opinion of any expert witness. This is not intended to extend the time frames set forth in the Plan, but rather to identify those witnesses that will in good faith actually be called. No party shall be permitted to call any witness not so disclosed, without prior permission of the Court, or written stipulation executed by all parties, or if represented, their counsel.

B. **Fabre Defendants.** No later than thirty (30) days prior to the Pretrial Conference date, all Defendants or other persons sought to be placed on the verdict form and against whom some measure of liability may be assessed by the jury, must be disclosed to the court and opposing counsel. No person or entity not so disclosed may be placed on the verdict form without good cause shown.

C. **Meeting Before Pretrial Conference.** The attorneys for all parties (initiated by counsel for the Plaintiff) and all pro-se parties shall meet no later than ten (10) days before the

Pretrial Conference to¹:

1. Identify all exhibits each party in good faith intends to offer into evidence at trial and prepare an exhibit list for use by the Clerk and the Court at trial (actual exhibits and documentary evidence shall be available for inspection at this time). (This is not intended to extend the time frames set forth in the Plan, but rather to identify those exhibits that will in good faith actually be offered into evidence at trial). Any exhibits not so identified will not be admissible absent prior approval of the Court or a written stipulation of all parties.
2. Agree to admit or not admit evidence and list specific objections, if any.
3. Stipulate to any matter of fact or law about which there is no issue in order to avoid unnecessary proof (i.e., chain of custody or records custodian predicates).
4. Review all depositions or any other evidence which will be offered for any purpose other than impeachment to resolve objections to the portions to be offered in evidence.
5. Discuss the possibility of settlement.
6. If applicable, submit an itemized statement of special damages the Plaintiff expects to prove.
7. If a jury trial has been demanded, discuss jury instructions and verdict forms and reach agreement, if possible, on same.
8. Discuss and complete any other matters which may simplify the issues or aid in the speedy disposition of this action, the Pretrial Conference, and trial.
9. Draft one Pretrial Conference Order (using the attached form)², signed by all participating counsel and pro-se parties. The Pretrial Conference Order shall be submitted directly to:

For Lee County	The Civil Case Manager at least 7 days prior to the Pretrial Conference. The Agreed Pretrial Conference Order will also be considered timely if the parties submit a courtesy copy of the signed original to the Civil Case Manager via facsimile
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¹ Counsel and/or parties involved in cases to be tried without a jury need not address jury instructions or other pretrial matters that involve a jury, and need not complete these sections of the Pretrial Conference/Trial Order.

² The Pretrial Conference Order can also be downloaded from the Court's website at <http://www.ca.cjis20.org/web/main/civil.asp>.

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	239-485-2999 or e-mail transmission to CivilCM@ca.cjis20.org not later than 7 calendar days prior to the Pretrial Conference, and if the original is mailed or hand delivered on the same day along with self-addressed and stamped envelopes for all parties. Upon written approval by the Court, the original Agreed Pretrial Conference Order will be filed with the Clerk of Court, a copy served on all counsel and/or parties of record, and the Pretrial Conference shall be cancelled. If the Court does not approve the Agreed Pretrial Conference Plan, the Pretrial Conference will not be cancelled.
For Collier County	The Magistrate at the Pretrial Conference.

In the event the parties are unable to agree on all matters in the Pretrial Conference Order, they shall leave the unagreed matter(s) blank and same will be resolved at the Pretrial Conference with the Court.³

D. Motions. All motions shall be filed in accordance with the Plan except Motions in Limine. All dispositive motions, including Motions for Summary Judgment, **must be filed and scheduled for hearing at least ten (10) days prior to the Pretrial Conference and must be heard no later than 30 days prior to the commencement of the trial period.** Motions in Limine **must be filed by the earlier of docket sounding or 10 days prior to the commencement of the trial period and must be heard no later than 10 days prior to the date of the trial.** Motions not filed and scheduled in compliance with this Order will be heard only upon a showing of good cause.

E. Discovery. Counsel shall complete all discovery, including examinations and Frye hearings, pursuant to the Plan. The conduct of discovery subsequent to the Pretrial Conference will be allowed only as permitted by the Plan, upon stipulation of the parties or upon Order of the Court for good cause. Any discovery allowed subsequent to the Pretrial Conference shall not be a cause for delay of the trial of this cause.

F. Alternative Dispute Resolution. All parties are required to participate in mediation or other Alternative Dispute Resolution prior to trial in accordance with the Plan.

G. Settlement. In the event of settlement at any time prior to trial, Plaintiff's Counsel shall immediately notify the Court and submit a stipulation for an Order of Dismissal and a Final Disposition form.

H. Representation and Authority. In order for the full purpose of the Pretrial Conference procedures to be accomplished, each party shall be represented at all meetings and

³ Any disputes between the parties regarding the Uniform Pretrial Conference /Trial Order will be resolved at the Pretrial Conference by the Magistrate or Judge. If the Magistrate conducts the Pretrial Conference, the Magistrate shall issue a Report and Recommended Order to the Judge on all such disputed issues. A final Uniform Pretrial Conference /Trial Order will be issued by the Judge once any timely exceptions have been filed and heard to the Report and Recommended Order of the Magistrate.

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hearings required herein by the attorney who will participate in the trial of the cause and who is vested with full authority to make admissions and disclosure of facts, and to bind the client by agreement in respect to all matters pertaining to the trial of this cause and the Pretrial Conference Order.

I. Continuances. This Court adheres strictly to Florida Rule of Judicial Administration 2.545(e) and Florida Rule of Civil Procedure 1.460. Accordingly, motions for continuance and stipulations must be in writing and set forth the following:

1. The signature of the party as well as the attorney.
2. A concise statement of the reasons for a continuance. If based on non-availability of a witness, a showing of when it is believed the witness will be available must be stated.

Any stipulation must be approved or motion heard by the Court no later than docket sounding. **No Motion will be heard that is not in compliance with this Order except upon good cause shown.**

J. Approved Case Management Plan. Except as modified by this Order, the Approved Case Management Plan shall remain in full force and effect.

5. Notice

Plaintiff, or if represented, Counsel for Plaintiff is directed to review this Order to ensure that it was sent to all proper persons at current, proper addresses. The failure to immediately notify the Court may result in this matter not being heard at the scheduled time.

6. Sanctions

The failure to comply with the requirements of this Order may subject the party and/or attorney to appropriate sanctions, including the award of attorneys' fees, fines, striking of pleadings, and/or dismissal of the case.

DONE AND ORDERED in Chambers, _____ County, Florida on this
_____ day of _____, 20_____.

Circuit Judge

Insert ADA language by County here

00000429

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
_____ COUNTY, FLORIDA CIVIL ACTION

CASE NO:

Plaintiff(s)

vs

Defendant(s).

UNIFORM PRETRIAL CONFERENCE/TRIAL ORDER

Present:

_____ for Plaintiff

_____ for Defendant

1. Statement of Case:
2. Amendments to pleadings:
3. Issues (agreed to and disputed):
4. Number of peremptory challenges:
5. Admissions to avoid unnecessary proof:

6. Witnesses:

Counsel and all pro-se parties shall list all witnesses they actually intend to call at trial from the approved Case Management Plan, if any, including a concise statement of the facts about which the witness will testify, by the ____ day of _____, 2010, and will be limited thereby except for good cause.

The parties shall assure the availability of their witnesses for the entire trial period or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure. If a party expects to call an expert or treating physician to testify at trial, it is

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CIVILDCM Form 10/14/10

strongly suggested that such witness be deposed by video and the testimony transcribed. The Court may not be in a position to allow a witness to testify "out of order," over objection, or to take a recess or adjust its schedule for the convenience of such a witness.

- 7. Attached, if applicable, is a list of itemized statement of special damages claimed by any party.
- 8. Any problems or special needs for the attendance of witnesses:
- 9. Stipulations (checked):

- _____ a) Less than 6 jurors if one becomes incapacitated
- _____ b) Use of expert testimony any time
- _____ c) Waive X-ray technicians
- _____ d) Waive records custodians
- _____ e) Waive photographers
- _____ f) Copies of ordinances or foreign laws
- _____ g) Other: _____

10. Necessity of taking judicial notice:

11. Length of trial:

12. List Pending Motions:

13. Settlement possibilities:

14. Trial Date:

For Lee County	Parties must be ready to go to trial on day #1 of the trial period, regardless of position on the docket. The docket will proceed numerically in the order established at docket sounding, unless time utilization can be enhanced or scheduling conflicts with other courts occur. In such instances, the sequencing of cases for trial may be adjusted by the Court. ¹
For Collier County	Trial Month – Trial period(4 weeks) beginning: _____

¹ Dockets will be posted on each Judge's schedule as soon after Docket Sounding as reasonably feasible. Counsel and parties are responsible for checking the Judge's schedule for updates as to the docket and order in which cases will be tried.

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15. List the Fabre, 623 So. 2d 1182 (Fla. 1993), Defendant(s) disclosed in accordance with Paragraph 4B of the Order Setting Jury Trial/Non-Jury Trial, Pretrial Conference that Defendant actually intends to request be placed on the verdict form.

16. If depositions or video depositions of witnesses will be used in accordance with applicable law, are there stipulations as to which portions will be shown to the jury? YES NO

If there are disagreements regarding the admissibility of any portion of the depositions, such matters must be resolved by hearing, if necessary prior to the trial.

17. Unless specifically directed by the Court to be filed at an earlier date, jury instructions and verdict forms shall be submitted at the beginning of the trial. Counsel and all pro-se parties shall meet prior to trial to agree upon the verdict form and as many standard instructions as possible. The submitted instructions and verdict forms shall include any of the Florida Standard Jury Instructions and verdict forms with appropriate adaptations for the specifics of the case. On the first day of the trial, the attorney for each party shall submit to the Court both an electronic version in Microsoft Word and a typed copy of the proposed jury instructions and verdict form(s). This paragraph shall not foreclose the right of each party to request modifications of the jury instructions and/or verdict form(s) at the charging conference. Any party who intends to request that the Court provide a set of written jury instructions for the jury's consideration, pursuant to Rule 1.470(b), shall be responsible for providing a clean copy (i.e., without citations to authority) of the jury instructions and verdict form(s) to the Court for this purpose prior to the submission of the case to the jurors.

18. **Attached** is a list of all photographs, documents and exhibits. Counsel shall confer prior to trial and initial those agreed to be admitted in evidence. All exhibits shall be pre-marked using numbers for Plaintiff's Exhibits and Letters for Defendant's Exhibits. Upon request the Clerk will provide Exhibit labels prior to commencement of the trial. To avoid the loss and disintegration of component parts of pages, all composite exhibits shall be satisfactorily marked and/or bound before presentation to the Court. Exhibits to be introduced which are larger than 8 1/2 x 11" may be used at trial, but if practicable, same shall be reduced to 8 1/2 x 11", and the reduced size copy shall be the exhibit retained by the Clerk in the court file. The oversized exhibits, if reduced, shall be returned to counsel at the close of the trial.

19. If a party desires that a proceeding be reported by a court reporter, it is the responsibility of that party to secure such services.

20. Failure to comply with the requirements of this Order may subject the party and/or counsel to appropriate sanctions, including attorneys' fees, fines, striking of pleadings, and/or dismissal of this action.

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THE UNDERSIGNED HEREBY AGREE TO AND SUBMIT THE FOREGOING PRETRIAL CONFERENCE/TRIAL ORDER TO THE COURT FOR APPROVAL.

PLAINTIFF'S COUNSEL
Address
Telephone #
Fax #
E-Mail Address
Florida Bar #

DEFENDANT'S COUNSEL
Address
Telephone #
Fax #
E-Mail Address
Florida Bar #

Or, if pro se, PLAINTIFF
Address
Telephone #

Or, if pro se, DEFENDANT
Address
Telephone #

THE COURT HEREBY APPROVES AND ADOPTS THE FOREGOING PRETRIAL CONFERENCE/TRIAL ORDER AND THE PARTIES ARE ORDERED TO COMPLY WITH IT.

DONE AND ORDERED in Chambers, _____ County, Florida on this _____ day of _____, 20_____.

Circuit Court Judge

Insert ADA Language by County

CIVIL DCM Form 10/14/10

00000438

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

IN RE: STANDARDS OF COURTROOM
DECORUM

ADMINISTRATIVE ORDER
NO: 2.13

WHEREAS the Judges of the Circuit and County Courts of the Twentieth Judicial Circuit have agreed that certain basic principles of courtroom decorum and behavior should be formally stated for the benefit and guidance of those unfamiliar with local traditions, the following standards of decorum are hereby adopted:

AS TO COUNSEL

When appearing in any court of the Twentieth Judicial Circuit, unless excused by the presiding judge, all counsel shall abide by the following:

- (1) Stand as Court is opened, recessed or adjourned.
- (2) Stand when the jury enters or retires from the courtroom.
- (3) Stand when addressing, or being addressed by, the Court.
- (4) Stand at the lectern while examining any witness; except that counsel may approach the Clerk's desk or the witness for purposes of handling or tendering exhibits.
- (5) Stand at the lectern while making opening statements or closing arguments.
- (6) Address all remarks to the Court, not to opposing counsel.
- (7) Avoid disparaging personal remarks or acrimony toward opposing counsel and remain wholly detached from any ill-feeling between the litigants or witnesses.
- (8) Refer to all persons, including witnesses, other counsel and the parties by their surnames and not by their first or given names.
- (9) Only one attorney for each party shall examine or cross examine each witness. The attorney stating objections (if any) during direct examination shall be the attorney recognized for cross examination.
- (10) Request permission before approaching the bench.

- (11) Any paper or exhibit not previously marked for identification should first be submitted to the Clerk for marking before it is tendered to a witness; and any exhibit offered into evidence should, at the time of such offer, be handed to opposing counsel.
- (12) In making objections, counsel should briefly state only the legal grounds therefore without further elaboration unless such is requested by the Court.
- (13) In examining a witness, counsel shall not repeat or echo the answer given by the witness.
- (14) Offers or requests for stipulations shall be made out of the presence or hearing of the jury.
- (15) In opening statements and in arguments to the jury, counsel shall not express personal knowledge or opinion concerning any matter in issue.
- (16) Counsel shall instruct all persons at counsel table that gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses, or at any other time, are absolutely prohibited.
- (17) All counsel shall dress in an appropriate manner consistent with the requirements of decorum and dignity appropriate to courtroom proceedings.


The standards set forth above are minimal, not all-inclusive, and are intended to supplement, not supplant or limit, the ethical obligations of counsel under the Rules of Professional Conduct. Individual judges may announce and enforce additional requirements or prohibitions, or may excuse compliance with any one or more of these standards.

AS TO NON-LAWYERS

- (1) All persons appearing before the Court shall endeavor to dress in a reasonably conservative manner consistent with the requirements of decorum and dignity appropriate to courtroom proceedings. Generally, shorts, tank-tops and other beach attire are not appropriate as courtroom attire.
- (2) All persons attending court proceedings shall refrain from making gestures, facial expressions, audible comments, applause, or the like, as manifestations of approval or disapproval during the testimony of a witness or during the oral presentation of counsel, or at any other time.

(3) In presentations before the Court, unrepresented parties shall observe the same rules of decorum which apply to attorneys.

WHEREFORE these standards are hereby adopted by the judges of the Circuit and County Courts of Lee County, Florida, this 9th day of November, 1992.


Thomas S. Reese
Chief Circuit Judge

History. - New.

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

IN RE: AMERICANS WITH DISABILITIES)
ACT - DESIGNATION OF)
COORDINATOR AND GRIEVANCE)
PROCEDURE)

ADMINISTRATIVE ORDER
NO: 2.14

FILED

FEB 05 2007

CHARLIE GREEN
CLERK COUNTY COURT
BY _____ D.C.

I. **AUTHORITY**

Federal regulations implementing the Americans With Disabilities Act of 1990 (ADA) require public entities with 50 or more employees to designate a responsible employee and adopt grievance procedures which provide for the prompt and equitable resolution of complaints alleging noncompliance with the ADA or complaints alleging any actions that would be prohibited under title II of the ADA (28 C.F.R. 35.107).

II. **INTENT AND PURPOSE**

It is the intent of the Twentieth Judicial Circuit to fully comply with the ADA and to assure equity, fairness and full participation in the judicial system for persons with disabilities.

The purpose of the procedure set forth in this order is to establish a mechanism for resolving complaints without requiring the complainant to resort to federal complaint procedures. Nonetheless, complainants are not required to exhaust this grievance procedure before filing a complaint at the federal level.

It is the intent of the Twentieth Judicial Circuit that complainants be consulted and advised and that communications be maintained at each step of the grievance process. It is also the intent of the Twentieth Judicial Circuit to utilize alternative dispute resolution techniques whenever required, necessary or mutually agreed upon at any point during the grievance process.

III. **DEFINITIONS**

- A. Americans With Disabilities Act (ADA) - Public Law 101- 336, the American With Disabilities Act of 1990, which prohibits discrimination on the basis of disability.
- B. ADA Coordinator - Same as "Responsible Employee."
- C. Disability or Persons with Disabilities - With respect to an individual, a physical or mental impairment which substantially limits one or more of the major life activities of such individual; a record of such impairment; or being regarded as having such an impairment as defined in Public Law 101-336 and 28 C.F.R. 35.104.

- D. Grievance - A formal complaint made by a person, or on behalf of a person, alleging that he or she has been subjected to unlawful discrimination or inaccessibility to facilities, programs, services, benefits or activities on the basis of a disability.
- E. Responsible Employee - An employee designated to coordinate a public entity's efforts to comply with and carry out its responsibilities under title II of the ADA. These responsibilities include any investigation and/or follow through of any complaint alleging non-compliance or alleging any actions that would be prohibited by title II of the ADA.
- F. State Courts System - All Florida courts at both appellate and trial levels.
- G. Title II - The second section of the ADA that prohibits discrimination on the basis of disability in state and local government services.

IV. **DESIGNATION OF COORDINATOR**

The ADA coordinator (who shall be the "responsible employee" as set forth above) for the Twentieth Judicial Circuit is:

Ken Kellum
Court Operations Manager
Lee County Justice Center
1700 Monroe Street
Fort Myers, Florida 33901
(239) 533-1700

V. **GRIEVANCES**

- A. A formal grievance shall be instituted by filing a complaint.
- B. Each complaint shall contain the following minimum information:
 - 1. The name, address and telephone number of the complainant on whose behalf the complaint is being made.
 - 2. The court facility in which the violation is alleged to have occurred.
 - 3. A complete statement of the grievance and the facts upon which it is based.
 - 4. The desired remedy or solution requested.

5. The names of any witnesses who can provide supportive or relevant information.

VI. GRIEVANCE PROCEDURE

A. Filing

1. Complaints must be filed with the ADA coordinator no later than one hundred eighty (180) days from the date of the alleged violation.
2. The filing deadline may be extended by the coordinator upon a showing of good cause made prior to the expiration of the 180 day period set forth in paragraph A.1. above.

B. Assessment and Determination of Team Members

1. The ADA coordinator will determine which functions of the court are at issue: facilities, programs, services, benefits and/or activities.
2. The ADA coordinator will notify the Chief Judge and the Court Administrator of the complaint.
3. A team consisting of at least three (3) people, one of whom must be the ADA coordinator (unless he is the subject of the complaint), shall address the complaint. Individual(s) who are charged in the complaint with alleged discriminatory conduct shall not be a member of the team.
4. The team will involve representatives from county government entities in the resolution of the complaint when the complaint involves a court facility, program, service, benefit or activity that is under the authority of or provided by county government.

C. Fact Finding

1. The team, or a member of the team, will review the complaint with the complainant.
2. The team, or a member of the team, will interview witnesses who can provide supportive or relative information and complete the fact finding.

D. Test of Legal Sufficiency

1. The team, or a member of the team, shall determine the legal sufficiency of the complaint.
2. In making any such determination, the team shall consult the Staff Attorneys' office for the Twentieth Judicial Circuit Court.

E. Action

1. If a complaint is legally deficient, the complaint shall immediately be brought to closure.
2. If a complaint is legally sufficient, the team will establish a course of action to resolve the complaint.
3. To the extent necessary, the court will make reasonable modifications to its programs, services, benefits and activities to ensure future compliance with the ADA.
4. When appropriate, and to the extent necessary, the court will work with county government to make reasonable modifications to court facilities, programs, services, benefits and activities that are under the authority of or provided by county government to ensure future compliance with the ADA.
5. The court make invoke the course of action described in the regulations implementing the ADA (28 C.F.R. 35.164) when modifications would result in a fundamental alteration in the nature of a service, program or activity or in undue financial and administrative burdens.

F. Closure, Notification and Records Retention

1. The ADA coordinator shall communicate the results of the investigation and the chosen course of action to the complainant in writing not later than thirty (30) days from the date the complaint was filed.
2. In instances where a grievance against the Twentieth Judicial Circuit is filed with the ADA coordinator of the State Courts System, the ADA coordinator shall also communicate the results of the investigation and the chosen course of action to the ADA coordinator of the State Courts System in writing not later than thirty (30) days from the date the complaint was filed.

3. A record of the grievance shall be maintained for three (3) years and shall be located with the ADA coordinator.

DONE AND ORDERED in Chambers at Fort Myers, Lee County, Florida, this 02nd day of February, 2007.

Hugh D. Hayes
Hugh D. Hayes
Chief Judge

History. - Administrative Order 2.14 (January 13, 1993); Administrative Order 2.14 (January 19, 1994); Administrative Order 2.14 (October 1, 1997); Administrative Order 2.14 (Nov. 1, 2004).

I certify this document to be
a true and correct copy of the
original on file in my office,
Charlie Green, Clerk Circuit
Court, Lee County, Florida
Dated: 2-14-07
By: am
Deputy Clerk

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

IN RE: AMERICANS WITH DISABILITIES
ACT - NOTIFICATION OF COURT
PROCEEDINGS

ADMINISTRATIVE ORDER
NO: 2.15

Pursuant to the Americans With Disabilities Act of 1990 (ADA), reasonable accommodations are required to be provided to requesting qualified persons with disabilities in order that they might participate fully in court programs, services, activities, and benefits.

It is the intent of the Twentieth Judicial Circuit to facilitate the provision of reasonable accommodations when requested by qualified persons with disabilities. Therefore, in accordance with the ADA and Fla. R. Jud. Admin. 2.540, it is

ORDERED AND ADJUDGED that all notices of court proceedings to be held in public facilities within the Twentieth Judicial Circuit shall include the following statement in bold face, 14 point Times New Roman or Courier font:

FILED

JUN 17 2010

IN CHARLOTTE COUNTY

CHARLIE GREEN
CLERK COUNTY COURT
BY D.C.

"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 the Administrative Services Manager whose office is located at 350 E. Marion Avenue, Punta Gorda, Florida 33950, and whose telephone number is (941) 637-2281, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

IN COLLIER COUNTY

"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 the Administrative Services Manager whose office is located at 3301 East Tamiami Trail, Building L, Naples, Florida 34112, and whose telephone number is (239) 252-8800, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

20TH CIR 00045

00000062

IN GLADES COUNTY

"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 Sheila Mann, Court Operations Manager, whose office is located at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is (239) 533-1700, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

IN HENDRY COUNTY

"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 Sheila Mann, Court Operations Manager, whose office is located at the Lee County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is (239) 533-1700, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

IN LEE COUNTY

"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 whose office is located at Lee County Justice Center, 1700 Monroe Street, Fort Myers; Florida 33901, and whose telephone number is (239) 533-1700, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711."

DONE AND ORDERED at Fort Myers, Lee County, Florida this 17 day

of June, 2010.
STATE OF FLORIDA, COUNTY OF LEE

FILED FOR RECORD

This 17 Day of June 10 Record in Circuit
Book 54 Page 62-63 and Record Verified.

CHARLIE GREEN
Clerk Circuit Court

By Mary Montgomery
Deputy Clerk

G. Keith Cary
G. Keith Cary
Chief Judge

History. - Administrative Order 2.15 (Jan. 13, 1993); Amended Administrative Order 2.15 (Feb. 5, 1993); Administrative Order 2.15 (Feb. 1, 1994); Administrative Order 2.15 (October 1, 1997); Administrative Order 2.15 (January 13, 2000); Administrative Order 2.15 (November 1, 2004); Administrative Order 2.15 (Aug. 23, 2005); Administrative Order 2.15 (Feb. 2, 2007); Administrative Order 2.15 (July 21, 2008); Administrative Order 2.15 (July 28, 2008).

I certify this document to be a true and correct copy of the original on file in my office,
Charlie Green, Clerk Circuit Court, Lee County, Florida
Date: JUN 17 2010

Mary Montgomery
Deputy Clerk

00000068

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

IN RE: COURTHOUSE AND) ADMINISTRATIVE ORDER
 COURTROOM SECURITY) NO.: 2.18
)
_____)

Pursuant to Rule 2.050, Florida Rules of Judicial Administration, the Twentieth Judicial Circuit hereby adopts the following circuit-wide policy with regard to courthouse and courtroom security.

1. Each courthouse and courtroom within the Twentieth Judicial Circuit is hereby designated as a secure facility.

2. Any person entering any courthouse (including branch courthouses established by Administrative Order 2.7), may be subject to a search of their person or property anywhere in the building by authorized security personnel through the use of perimeter placed metal detectors, hand held or other specialized electronic equipment or other means available. Exits may be limited in accordance with state and local laws and the intent of this Order.

3. Subject to the exceptions set forth in paragraph 7 of this Order, any person in possession of a weapon, hazardous material or contraband shall be denied access to the courthouse unless the weapon, hazardous material or contraband is surrendered to the proper authorities.

4. Persons who refuse to submit to a search of their person or their possessions shall be denied access to the courthouse or courtroom.

5. If any illegal or unauthorized weapons, hazardous materials or contraband are discovered, the proper law enforcement officials or officers shall be notified immediately for appropriate action, including, prosecution to the fullest extent of the law.


6. The following notice shall be posted at all courthouse entrances and at each security station:

FOR THE PROTECTION OF THE PUBLIC, CERTAIN AREAS WITHIN THIS BUILDING HAVE BEEN DESIGNATED AS SECURE AREAS. ALL PERSONS DESIRING TO ENTER A SECURE AREA MUST PASS THROUGH A METAL DETECTOR OR MAY BE SUBJECT TO INDIVIDUAL SEARCH BY AUTHORIZED SECURITY PERSONNEL. ALL PACKAGES, BRIEFCASES, PURSES, POCKETBOOKS OR OTHER CONTAINERS CARRIED BY ANY PERSON MUST BE OFFERED FOR INSPECTION AT ANY DESIGNATED AREA IF SUCH PERSON WISHES TO ENTER OR REMAIN IN THIS BUILDING. ALL PERSONS ENTERING THIS BUILDING ARE DEEMED TO HAVE GIVEN THEIR CONSENT TO ANY SEARCH CONDUCTED PURSUANT TO ADMINISTRATIVE ORDER 2.18 AND FLORIDA LAW. ALL WEAPONS, INCLUDING LEGALLY AUTHORIZED FIREARMS, MUST BE SURRENDERED PRIOR TO GAINING ENTRY AND ALL LEGAL WEAPONS MAY BE RECLAIMED UPON LEAVING. ILLEGAL WEAPONS OR OTHER CONTRABAND DISCOVERED IN THE COURSE OF ANY SEARCH WILL BE SEIZED AND CONFISCATED AND MAY RESULT IN PROSECUTION TO THE FULLEST EXTENT OF THE LAW.

7. Those individuals who are exempted from this Order include: Bailiffs, Courthouse Security Guards employed by any law enforcement agency or the Office of the Court Administrator, and Judges, both active and retired. However, based upon the local custom and practice in each county, an administrative judge, at his or her discretion, may permit individual exemptions from this Order, in addition to those listed within this provision.

8. Any individual entering any courthouse (including branch courthouses) shall not be permitted to bring any liquid in an open or sealed container into the courthouse. If for the purposes of an evidentiary proceeding, it is necessary to bring a liquid in an open or sealed container into the courthouse, the individual shall be escorted by a bailiff to the designated courtroom. This provision shall not apply to employees of any of the offices located within the courthouse. However, at the discretion of courthouse security personnel, an employee shall allow a container to be inspected.

DONE AND ORDERED in Chambers at Naples, Collier County, Florida, this
20 day of Jan., 2000.


William L. Blackwell
Chief Judge

History. - Administrative Order 2.18 (July 12, 1994).

STATE OF FLORIDA, COUNTY OF LEE
FILED FOR RECORD
This 21 Day of JAN 2000 Record in 14 Minute
Book 44 Page 1 and Record Verified.
CHARLIE GREEN By C. Sanchez
Clerk Circuit Court Deputy Clerk

I CERTIFY THIS DOCUMENT TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE, CHARLIE GREEN, CLERK CIRCUIT COURT LEE COUNTY, FLORIDA.
DATED: 01-21-00

BY: C. Sanchez
Deputy Clerk

From: Callanan, Richard <O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Harkey, Sandra D

CC:

Date: 1/7/2009 1:20:46 PM

Subject: ?FW: Confidential- Budget Status Update

Hi Sandy

Can you please try to get a meeting for 1/16/09 at 1:30 pm with Judges Cary, Carlin, Lisa & I to go over budget status. Thnaks.,

>

>From: Carlin, John S.

>Sent: Wednesday, January 07, 2009 1:15 PM

>To: Callanan, Richard; Cary, G. Keith

>Cc: Kiesel, Lisa; Hagan, John

>Subject: RE: Confidential- Budget Status Update

>

>I agree to hold the blue sheet for the new Magistrate position and would like to get together with you. Lisa, John and Judge Cary in the near future to review our situation in Lee County as we look ahead to next budget year. If that is agreeable, can Sandy schedule a meeting that is convenient for everybody. I am out of the office January 15 and 16. Thanks for the update.

>

>John

>

>

>From: Callanan, Richard

>Sent: Wednesday, January 07, 2009 11:48 AM

>To: Cary, G. Keith; Carlin, John S.

>Cc: Kiesel, Lisa; Hagan, John

>Subject: Confidential- Budget Status Update

>

>Judges Cary and Carlin,

>

>Just as a brief update, the budget news so far on the state legislative special session is better than expected but is not yet a done deal. We do not expect any additional layoffs or cuts this year if this thing holds in the House. Next year, things are still unclear, but we expect some relief due to trust fund help that is being confidentially negotiated.

>

>County budgets projections are worse than expected. Lee will ask for 6-8% real cuts; Collier is asking for 14% and 8 county position cuts. We may want to rethink the timing on the Foreclosure bluesheet since this will add 2.5% increase to our county budget(even though it is mediation trust funded it will be counted in approp for next year as increase). I recommend we hold on this until we get better information on the county budget. Collier is getting me a budget proposal on options to deal with the budget cuts.

>

>All this is preliminary, but please let me know if you may want to discuss. Thanks.

>

>

>Rick

>

20TH CIR 00050

>Richard Callanan, Trial Court Administrator

>20th Judicial Circuit

>1700 Monroe Street

>Fort Myers, FL. 33901

>239 533-1712

>

>

> << File: CONFIDENTIAL.doc >>

From: [Callanan, Richard <RCallanan@CA.CJIS20.ORG>](mailto:RCallanan@CA.CJIS20.ORG)

To: [Kiesel, Lisa](#)

[Harkey, Sandra D](#)

CC:

Date: 2/23/2009 12:42:04 PM

Subject: ?FW: Circuit Administrative Orders

From: Brenda Johnson[SMTP:JOHNSONB@FLCOURTS.ORG]

Sent: Monday, February 23, 2009 12:41:59 PM

To: Bond, Nathan

Cc: Trial Court Administrators; Laura Rush; Lisa Goodner

Subject: Circuit Administrative Orders

Auto forwarded by a Rule

Nathan,

I just got out of the meeting. Sorry for the delay in getting this information back to you. It looks like the 18th 19th and 20th are the circuits who have issued some type of administrative order regarding the mortgage foreclosure issue. Others may be pending.

I have "cc" all trial court administrators with this email so that you can send your request for copies of the AO directly to them. I will be happy to assist in any way that I can.

Brenda G. Johnson

Director of Community and Intergovernmental Relations

Office of the State Courts Administrator

500 South Duval Street

Tallahassee, FL 32399-1900

(850)922-5692

20TH CIR 00052

From: Callanan, Richard </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Aloia, Nancy K

McHugh, Michael

CC:

Date: 11/18/2009 9:58:22 AM

Subject: Civil Caseload-Data analysis and Initial Recommendations

Attachments: Civil case mgmtPresentationFinal.ppt

Judge McHugh/Nancy

Attached is the Civil caseload data/trends and PP we discussed covering some of the basic definitions, initial recommendations. It is too much to cover in 15 minutes, but I will go thru quickly and I think they need to see the “big picture” before we get too far down the road on details.

If you can do intro judge, I will do the overview and Nancy can cover proposal/timetable and where we are on recruitment/advertising process...

We can play it by ear, and it may be too soon to hit the judges with some of this, but if you see anything in this that you want to absolutely kill or not do, please let me know.

I will have copies for handout. Nancy will have copies of proposal and timetable. We will do our best!

From: Callanan, Richard </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Carlin, John S.

CC: Cary, G. Keith

McHugh, Michael

Aloia, Nancy K

Date: 11/19/2009 9:32:20 AM

Subject: Civil Case Management-Judges meeting

Attachments: Civil case mgmtPresentationFinal.ppt

Judge,

I wanted to just let you know that the meeting with the Civil judges yesterday went well and very good progress is being made. Judge McHugh and Nancy did a great job of moving this forward and we gave them a "big picture" review of civil case trends, case flow problem areas(attached) and initial proposal. The civil judges discussion, buy-in and input was very good and better than expected.

Next steps of getting a civil Bar meeting and committee was discussed and a meeting with Bar President to get input on civil case management committee will be set up. New case management procedures, startup activities, roles of magistrate and CM and timetables were discussed.

This is moving well. Proposal, timetable and draft of CM procedures/forms for a future AO were discussed and Nancy is doing a great job on getting those moving. We will get you drafts of these before being finalized. Staff recruitment is underway and we will keep you posted on the process. Nancy is setting up a meeting with Clerks staff to get IT and coordination together. I expect we will have a very good framework together to finalize at the civil workshop and hit the ground running.

Just wanted to keep you in the loop.

Best,
Rick

From: [Callanan, Richard <RCallanan@CA.CJIS20.ORG>](mailto:RCallanan@CA.CJIS20.ORG)

To: [Kiesel, Lisa](#)

[Harkey, Sandra D](#)

CC:

Date: 12/10/2009 11:25:38 AM

Subject: ?FW: SRS Pre-2010 Disp Forms and Revised New Civil & Family Coversheets and Forms (TCA/CJ)

From: Miriam Jugger[SMTP:JUGGERM@FLCOURTS.ORG]

Sent: Thursday, December 10, 2009 11:25:18 AM

To: Trial Court Administrators; Trial Court Chief Judges

Cc: Kristine Slayden; Greg Youchock; Blan Teagle; P.J. Stockdale;

Arlene Johnson

Subject: FW: SRS Pre-2010 Disp Forms and Revised New Civil & Family Coversheets and Forms (TCA/CJ)

Auto forwarded by a Rule

Dear Trial Court Administrators and Trial Court Chief Judges,

Please review e-mail below and the attachments that were sent to all the 67 Trial Court Clerks regarding Civil and Family cover sheets, disposition forms and SRS reporting forms as a result of Supreme Court Opinion SC08-1141. Please forward this information to your staff as needed.

Please contact me if you have any comments or questions regarding this matter.

Thank you for your time and consideration.

Miriam Jugger

Supreme Court of Florida

Office of the State Courts Administrator

Court Services Audit Team Leader

500 S. Duval Street

Tallahassee, FL 32399

(850) 410-1888

20TH CIR 00055

From: Miriam Jugger
Sent: Thursday, December 10, 2009 11:11 AM
To: Trial Court Clerks
Cc: Kristine Slayden; Greg Youchock; Blan Teagle; Arlene Johnson; P.J. Stockdale; Bradley Rich; Vicki Charlton; Rosie Graham; Heather Thuotte-Pierson; Jim Brown
Subject: SRS Pre-2010 Disp Forms and Revised New Civil & Family Coversheets and Forms

Dear Clerks,

Please find attached several forms and coversheets that will be helpful to you and your staff during this transition resulting from Supreme Court Opinion SC08-1141 and the Clerk and FACC feedback from recent statewide SRS Trainings conducting by our staff.

These forms and coversheets are designed to be tools that will help your staff to better capture and report correct case type designations. Additionally these forms are also tools to capture and report judicial workload data pursuant to Florida Statutes section 25.075.

There are a total of four (4) required forms that were included in Supreme Court Opinion SC08-1141. Three (3) can be found January 2010 on the Florida Bar website under Professional Practice, Rules of Civil Procedure....
www.floridabar.org. The other one (1) can be found January 2010 on the OSCA website under Family Law Forms at
www.flcourts.org.

- 1) Form 1.997, the Revised Civil Cover Sheet
- 2) Form 1.998, the Revised Final Disposition Form
- 3) Form 1.999, the New Order Designating a Case Complex
- 4) Form 12.928 the New Cover Sheet for Family Court Cases

After review and discussions with FACC and clerk staff across the state we have created two (2) SRS reporting forms that we hope will aid clerk staff in reporting the disposition of those cases that were filed prior to January 2010 but disposed after January 2010. These two (2) optional SRS Pre-2010 Disposition Forms can help to dispose of the Circuit Civil and

20TH CIR 00056

Family Case Types that were severely broken out as a result of Supreme Court Opinion SC08-1141. These two (2) optional forms can only be used for disposition reporting and are only valid January 1, 2010 through December 31, 2012 (3 years).

- 1) SRS Pre2010 Family Disposition Form
- 2) SRS Pre2010 Circuit Civil Disposition Form

I hope that these forms and coversheets will be helpful to you and your staff. If you have any comments or questions regarding these forms and coversheets please contact me by e-mail at any time. Please forward this information to all staff involved in Civil and Family courts.

Thank you for your time, corporation and commitment to SRS standards

Miriam Jugger

Supreme Court of Florida

Office of the State Courts Administrator

Court Services Audit Team Leader

500 S. Duval Street

Tallahassee, Fl 32399

(850) 410-1888

juggerm@flcourts.org

From: Callanan, Richard </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Cary, G. Keith

CC: Harkey, Sandra D
Steinbeck, Margaret
Kiesel, Lisa

Date: 12/10/2009 11:08:06 AM

Subject: TCBC Civil Funding Proposal and Letter to Belvin Perry

Judge

Attached is a draft letter and funding proposal for the Civil/Foreclosure case management program that I would like to get to Belvin Perry and Lisa Goodner today if possible. Obviously, this won't be on the TCBC agenda, but it will give Judge Perry and the Funding Methodology folks a heads up as to our request. I have been in touch with other TCA's and many are also interested.

Please let me know if there are any revisions you would suggest, and I will ask that Sandy put the letter on your letterhead for signature.

As you know, I cannot attend TCBC meeting due to family graduation commitment, but Lisa Kiesel will attend and she will have a copy of our proposal if the topic comes up.

Thanks Judge,

Rick

Richard Callanan, Trial Court Administrator
20th Judicial Circuit
1700 Monroe Street
Fort Myers, FL. 33901
239 533-1712

From: Callanan, Richard </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Aloia, Nancy K

Embury, Jon

Middlebrook, Mark

CC: Cary, G. Keith

Ederr, Suzanne

Kiesel, Lisa

Date: 1/18/2010 4:43:14 PM

Subject: Draft - 20th Circuit Civil Caseflow Management & Backlog Reduction Plan

Dear All

I am attaching a rough, preliminary outline of some of the key points of a Circuit Civil Caseflow Management Procedures and Plan as a discussion draft. This incorporates a lot of the discussion and ideas from the Civil Caseflow workshop, but also adds some "new" ideas on using Civil Bar Settlement Panels and a possible Commercial-Standard track for management by the Magistrate for discussion. This will go through numerous revisions and some county flexibility will be needed, but I wanted to get something in draft form to keep the momentum going.

We are meeting tomorrow to begin to work through and revise the procedures and standardized forms to get it into a form for further discussion. We will also want to get input from your judges and then set up a followup Civil Case Management meeting with Civil/Circuit Admin Judges, the key Bar reps from each county and Civil staff in mid-February to keep momentum going on this. There was great involvement and ideas at the Civil workshop at Edison, and we need to capitalize!

Thanks,

Rick

From: Callanan, Richard </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=RCALLANAN>

To: Middlebrook, Mark

Mravic, Deborah

CC:

Date: 2/19/2010 4:21:52 PM

Subject: ?FW: Civil DCM/Backlog Reduction Pilot -Circuit Guidelines-Draft

Mark/Deb

Thanks again for progress report on Civil DCM..things are going great in Collier.. The idea with these Civil DCM guidelines is just to make sure the framework is clear and we have general consensus of judges, bar , staff before any major AO “launch” on new DCM procedures! Don’t want to leave anyone on the launching pad!

Good weekend

Rick

From: Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

To: Jordan, Deborah

Kantor, Marianne

Lee, Kimberly

Schreiber, Lee Ann

Studybaker, Steven

CC:

Date: 4/3/2009 12:39:58 PM

Subject: Emailing: leeforeclosuretaskforce.com

Attachments: leeforeclosuretaskforce.com.url

Hello

You may already be aware of this but I am forwarding on just in case. This is the new webpage created by the local bar's foreclosure taskforce. It has some helpful information on the right-hand side for self represented litigants and also under the resource page. Thanks- Nancy

The message is ready to be sent with the following file or link attachments:

Shortcut to: <http://leeforeclosuretaskforce.com/>

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



May 28, 2010

Honorable Howard Forman
Broward County
Chair

Honorable Harvey Ruvin
Dade County
Vice Chairman

Honorable Richard Weiss
Polk County
Secretary/Treasurer

Honorable John Crawford
Nassau County

Honorable Scott Ellis
Brevard County

Honorable Bob Inzer
Leon County

Honorable Buddy Irby
Alachua County

Honorable Tim Sanders
Madison County

Honorable Margaret Steinbeck
Judge

Senate
Honorable Sharon Bock
Palm Beach Clerk

House
Vacant

Joe Boyd
General Counsel

John Dew
Executive Director

2560-102 Barrington Circle
Tallahassee, Florida 32308

The Honorable G. Keith Cary
Twentieth Judicial Circuit
1700 Monroe Street
Ft. Myers, FL 33901

Dear Chief Judge G. Keith Cary:

The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative. This assistance will be invaluable to the success of the Clerks' ability to assist the courts in clearing the outstanding backlog of foreclosure cases in 10/11.

As already requested by the TCBC, the CCOC Executive Council also ask that you meet with each of the Clerks in your circuit to collaborate on a plan to provide resources to address the foreclosure backlog. While the CCOC has determined an amount to provide in total to Clerks in your circuit, we are still seeking additional information on how to distribute these dollars among the individual Clerks. Based on a methodology approved by the CCOC, the portion of the \$3.6 million appropriation dedicated to be distributed among the Clerks in your circuit is \$263,028.06.

After your collaboration with the Clerks in your circuit we would appreciate any information and/or suggestions you could provide to help the CCOC make a decision to allocate dollars among the Clerks in your circuit. Please provide this information/suggestion either as specific dollar amount dedicated to each county or as percentage of the circuit total.

This information can be emailed to John Dew, CCOC Executive Director at jdew@flccoc.org. Given the short timeframe to implement this initiative, please provide this information to Mr. Dew by close of business on June 5, 2010.

If you have any questions regarding this request, I have directed Mr. Dew to make himself available. In addition to the email address above, you can contact him at (850) 386-2223.

With appreciation,

Howard Forman
Chair of the CCOC Executive Council

CC: John Dew



TWENTIETH JUDICIAL CIRCUIT OF FLORIDA

ADMINISTRATIVE OFFICE OF THE COURTS
LEE COUNTY JUSTICE CENTER
1700 MONROE STREET
FORT MYERS, FLORIDA 33901
TEL. (239) 533-1700
FAX (239) 533-1701

G. KEITH CARY
CHIEF JUDGE

RICHARD CALLANAN
COURT ADMINISTRATOR

Memorandum

To: 20th Judicial Circuit Clerks of Court

From: G. Keith Cary, Chief Judge

Date: June 4, 2010

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

Dear 20th Judicial Circuit Clerks of Courts,

As you will see in the attached letter, the Florida Clerk of Courts Operations Corporation (CCOC) has asked for my input as Chief Judge on the most appropriate county allocation of the \$263,028 Foreclosure Backlog Program allotment to the Clerks of the 20th Circuit.

A major impact on the Clerks will be the additional court time required by added Senior Judge days for expedited default dockets and contested foreclosure trial dockets. Backlogged foreclosure cases may also be set for trial/conference dockets with Senior Judges or Magistrates to expedite these cases and move them directly to trial or default dockets. A summary of the 20th Circuit Foreclosure Backlog staffing plan for the Circuit for July 1, 2010 – June 30, 2011 is outlined below.

- Lee County is adding 180 Senior Judge days for expedited dockets; 20 Magistrate days per month in Lee will also handle foreclosure motions related to the new homestead mediation and handle foreclosure trial/conference dockets to expedite cases. Total new foreclosure hearing days approximately 420 per year/35 per month.
- Collier County is adding 162 Senior Judge days and 4 Magistrate days per month. Total foreclosure hearing time 210 per year/17.5 per month.
- Charlotte is adding 40 Senior Judge days and devoting 0.50 judge to foreclosures for a total foreclosure hearing time of 150 days/12/5 per month.

20th Judicial Clerks of Courts

Re: Foreclosure Backlog Program Allotments to the Clerks of the 20th Circuit

June 4, 2010

Page 2

- Hendry is adding 18 Senior Judge days and has approximately 0.10 judge FTE need for foreclosure volume for a total approximate foreclosure hearing time of 66 days per year/5.5 per month.
- Glades adding 38 Senior Judge Days and has approximately 0.05 judges assigned for total hearing time of 50 days per year/4.0 per month.

I would ask each of you to advise me on your opinion as to the best method to allocate the \$263,000 Clerk Foreclosure backlog reduction budget by county. Our county court allocations are based on the prorated percentage of foreclosure caseload for each county. If funded at this level, the prorated county allocations would be approximately:

Lee – 50%
Collier – 25%
Charlotte – 13%
Hendry – 6%
Glades – 6%

I would ask that you review the Foreclosure Backlog Plans, meet with your respective Circuit Administrative Judges and let me know your input on the best method of prorating the allocation of these Clerk funds by county. If the above prorated allocations look reasonable, I will forward those recommendations to the CCOC as requested. The CCOC has requested a response by June 10, 2010, so kindly let me know your input as soon as possible and no later than June 9, 2010.

Thank you for your assistance in this regard.

Attachment

cc: Honorable John S. Carlin, Administrative Judge
Honorable Cynthia A. Pivacek, Administrative Judge
Honorable Keith R. Kyle, Administrative Judge
Honorable James D. Sloan, Administrative Judge
Honorable Jack Lundy, Administrative Judge
Richard Callanan, Trial Court Administrator

20TH CIR 00065

Honorable Howard Forman
Broward County
Chair

Honorable Harvey Ruvin
Dade County
Vice Chairman

Honorable Richard Weiss
Polk County
Secretary/Treasurer

Honorable John Crawford
Nassau County

Honorable Scott Ellis
Brevard County

Honorable Bob Inzer
Leon County

Honorable Buddy Irby
Alachua County

Honorable Tim Sanders
Madison County

Honorable
Margaret Steinbeck
Judge

Senate
Honorable Sharon Bock
Palm Beach Clerk

House
Vacant

Joe Boyd
General Counsel

John Dew
Executive Director

2560-102 Barrington Circle
Tallahassee, Florida 32308

May 28, 2010

The Honorable G. Keith Cary
Twentieth Judicial Circuit
1700 Monroe Street
Ft. Myers, FL 33901

Dear Chief Judge G. Keith Cary:

The Executive Council for the Clerks of Court Operations Corporation (CCOC) is requesting assistance in the allocation of the \$3.6 million nonrecurring appropriation dedicated to the Clerks of Court to assist in addressing the workload associated with the foreclosure and economic recovery initiative. This assistance will be invaluable to the success of the Clerks' ability to assist the courts in clearing the outstanding backlog of foreclosure cases in 10/11.

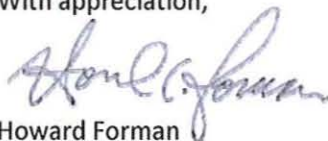
As already requested by the TCBC, the CCOC Executive Council also ask that you meet with each of the Clerks in your circuit to collaborate on a plan to provide resources to address the foreclosure backlog. While the CCOC has determined an amount to provide in total to Clerks in your circuit, we are still seeking additional information on how to distribute these dollars among the individual Clerks. Based on a methodology approved by the CCOC, the portion of the \$3.6 million appropriation dedicated to be distributed among the Clerks in your circuit is \$263,028.06.

After your collaboration with the Clerks in your circuit we would appreciate any information and/or suggestions you could provide to help the CCOC make a decision to allocate dollars among the Clerks in your circuit. Please provide this information/suggestion either as specific dollar amount dedicated to each county or as percentage of the circuit total.

This information can be emailed to John Dew, CCOC Executive Director at jdew@flccoc.org. Given the short timeframe to implement this initiative, please provide this information to Mr. Dew by close of business on June 5, 2010.

If you have any questions regarding this request, I have directed Mr. Dew to make himself available. In additional to the email address above, you can contact him at (850) 386-2223.

With appreciation,



Howard Forman
Chair of the CCOC Executive Council

CC: John Dew

From: Sloan, James D </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JDS5227>

To: Mann, Sheila

CC: Greider, Christine

Date: 5/26/2010 2:03:56 PM

Subject: ?Re: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

We needed to be alerted at the first inkling of a problem so that we could have started on a Plan B instead of having to scramble at the last minute.

Sent using BlackBerry

-----Original Message-----

From: Mann, Sheila

To: Sloan, James D ; Greider, Christine

Sent: Wed May 26 14:59:17 2010 Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

I agree, and it is not just us who is getting "torpedoed", I think that's why Rick was trying to work something out before getting word to us.

-----Original Message-----

From: Sloan, James D

Sent: Wednesday, May 26, 2010 2:54 PM

To: Mann, Sheila; Greider, Christine

Subject: Re: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Our plan was to use Senior Judge days for complex civil cases. That plan is now "torpedoed". You are telling us that we can only use them for foreclosures. That's completely different than what was initially represented. We should have known about this before today!

Sent using BlackBerry

-----Original Message-----

From: Mann, Sheila

To: Greider, Christine

CC: Sloan, James D ; Lundy, Jack

Sent: Wed May 26 14:13:57 2010

Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Judge Greider,

I apologize for the confusion. Although the email below was dated the 21st of May, I received it from Rick today. He had been working behind the scenes trying to get an exception to the guidelines, to no avail.

For clarification: I forwarded this so everyone had a copy of the outline as to how the funds must be used. The

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adjustments to the plan refer to the circuitwide plan as to how the funds would be distributed within the circuit and what the funds would be used for (Sr. Judge days, magistrates or case manager and assistants). That plan was developed by the Chief Judge and Rick and we were allotted a fixed amount of money. It is this plan to which the email below is referring. After the OPS money was reduced during the legislative session the Chief Judge and Rick needed to make adjustments to how the money would be allocated (how much money each county received and how much would be used for Sr. Judge days, magistrates etc). Luckily, Hendry/Glades came out of it unscathed- we didn't lose any of our Sr. Judge days or adm asst time.

The internal plan as to what cases will go to Sr. Judges or magistrates etc is what will need to be addressed. Judge Sloan indicated to me a couple of weeks ago that he was working on a plan and would be getting with you. It is that plan that will need to comply with the guidelines for using the money.

In September Rick plans to submit a request to the TCBC asking to use the money for civil backlog in addition to foreclosure backlog- based on demonstration (presumably) that the circuit has made great progress in dealing with foreclosures. If granted, whatever plan we come up with now could be amended.

Again, I apologize for the confusion. Most of this occurred while I was out of the office. Even when I am in the office, my inclusion on these emails is sporadic..I forward the information as it becomes available, sometimes forgetting that it is new information for the judges as well.as Judge Sloan can attest we sometimes get emails asking for plans that we didn't even know we were supposed to be considering (i.e. Civil DCM) because we hadn't been included in the earlier discussions.

Sheila

From: Greider, Christine
Sent: Wednesday, May 26, 2010 1:10 PM
To: Mann, Sheila
Cc: Sloan, James D
Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

How are we to respond to a request that had a deadline of yesterday?

From: Mann, Sheila

20TH CIR 00068

To: Sloan, James D; Greider, Christine; Lundy, Jack

Cc: Gutshall, Tilena; Hendrickx, Jo-Ann; Brantley, Kelly

Subject: FW: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Please see below.

From: Kristine Slayden [mailto:slaydenk@flcourts.org]

Sent: Friday, May 21, 2010 2:42 PM

To: Trial Court Chief Judges; Trial Court Administrators

Cc: Trial Court Budget Commission; Lisa Goodner; Charlotte Jerrett; Dorothy Wilson; Gary Phillips; Theresa Westerfield; Heather Thuotte-Pierson; Kristine Slayden; Sharon Bosley; Sharon Buckingham

Subject: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Chief Judges/Trial Court Administrators - The Trial Court Budget Commission met yesterday and approved the following 5 issues for the implementation of the Foreclosure and Economic Recovery Funding for FY 2010/11. Any adjustments to your circuit's plan based on these decisions need to be emailed to Dorothy Wilson at burked@flcourts.org by COB Tuesday, May 25th. Please refer to the bottom of this email for further submission instructions.

Please note that the allocations will be provided to the Chief Justice and the Legislature for final approval.

Issue 1: FY 2010/11 Funding Allocations Approved

- 1) Approved the FY 2010/11 circuit allocations for the Foreclosure and Economic Recovery Funding, with an adjustment to the contracted services category for case management and administrative support for the 10th, 12th, and 15th circuits (due to restrictions with using contractual dollars). The revised allocation chart is attached.
- 2) Approved effective date for the implementation of the circuits' plans so resources can be deployed on July 1, 2010, using existing FY 2009/10 funds for advertising if necessary.

Issue 2: Types of Cases and Disposition Goals Approved

- 1) Approved real property/mortgage foreclosure cases as the focus of this initiative. If a circuit has cleared all real property/mortgage foreclosure cases from backlog, the circuit may request in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator, as 2011 CIR 00069 ends to

2) Approved a targeted goal for the disposition of backlog cases of 62%, which corresponds to the reduction in funding (\$9.6 million proposal reduced down to \$6.0 million appropriation is a 38% reduction).

The attached chart indicates the targeted backlog reduction for the estimated Real Property/Mortgage Foreclosure backlog cases for each circuit. The actual number of backlog cases will need to be produced at the beginning of the initiative for tracking purposes.

Issue 3: Budget Policy Considerations Approved

a) In order to comply with legislative intent, any expenditure of any type utilizing this funding is strictly limited to direct support of the backlog reduction of the approved case types listed in Issue 2.

b) In order to ensure that senior judges who are assigned to the Foreclosure and Economic Recovery initiative are paid with the appropriate funds, the current senior judge application will be modified to allow circuits to specify from which funding source the senior judge should be paid. The Trial Court Administrators are responsible for ensuring that the information is reported properly.

c) Expenditures from the Expense category are limited to intra-circuit travel for staff, intra- and inter-circuit travel for Senior Judges, consumable office supplies, postage, copying, printing and reproduction. To maximize the Expense allotment, circuits are encouraged to use existing resources or surplus furnishings for any office furniture needs for OPS staff and/or Senior Judges. Subscriptions and the like are not allowable expenditures for this funding, neither are computers or other communication devices as those items are a county funding responsibility.

d) A contingency for the Expense category was approved in the original proposal and factored into the appropriated amount. In order to access these contingency funds, a circuit must have exhausted its Foreclosure and Economic Recovery Expense allotment. Requests for additional Expense are to be made in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator. The request must provide a complete, detailed explanation of how Expense funding came to be exhausted, what steps were taken to alleviate the impending shortfall, the amount requested and how that amount was calculated.

Issue 4: Funding/Plan Monitoring Approved

a. The Budget Management Committee (BMC) will monitor expenditures on a monthly basis. 2011-12 CIR 00070 resources are

only being used for the purpose of backlog reduction for the approved case types. In addition, the BMC will monitor case event data to ensure that expenditures correlate with the TCBC approved activities.

b. The Supreme Court Inspector General will also be reviewing the Foreclosure and Economic Recovery initiative for potential inclusion in the branch's FY 2010/11 audit plan.

Issue 5: Clerk Assistance Approved

Information on in-courtroom resources (general magistrates and senior judges) that will be assigned in each county and the maximum number of courtrooms that will be scheduled at any one time in each county will be shared with clerks once it has been finalized (see attached chart - please update this information, if needed). The chief judge in each circuit should work with their clerks to ensure the clerks appropriately support their plan. These plans need to be shared with the Office of the State Courts Administrator so that the legislature can be informed of the collaborative work on this issue. In addition, the TCBC approved the requirement that the clerks of court provide data support for this initiative.

Two other issues on performance measurement and FY 2011/12 Legislative Budget Request were postponed until the June 4th TCBC meeting.

Directions:

If the decisions above require you to modify your plan allocations, please make the adjustments and notify Dorothy Wilson of the specific changes to the allocation categories by email at burked@flcourts.org by COB, Tuesday, May 25, 2010. If no changes are needed, please indicate that in an email to Dorothy. In addition, if any changes in your allocations require a revision to the in courtroom resources, please provide that information also.

Listed below are the job classes and hourly rates for OPS positions that were used in the original proposal for the Foreclosure and Economic Recovery Funding. The TCBC approved the circuit allocations with direction to the circuits that they hire within these guidelines.

Element Position Maximum rate

Magistrates: Magistrate \$35.48 hourly

Case Management: Court Program Specialist II \$17.36 hourly

Court Program Specialist I \$14.58 hourly

Court Program Specialist I \$15.40 hourly w/ CAD - Hillsborough and Pinellas

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