

**IN THE COURTS OF THE  
FIRST JUDICIAL CIRCUIT, STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NO. 2013-38**

**RE:           FORECLOSURE  
              CONTINUATION AND CREATION OF DIVISIONS “W”  
              FORECLOSURE BACKLOG INITIATIVE**

**ORDER**

**WHEREAS**, the Legislature appropriated funds to continue the *Foreclosure and Economic Recovery Program* on July 1, 2013; and

**WHEREAS**, the First Judicial Circuit has been allocated a portion of the appropriation for that program due to the continuing backlog of foreclosure actions; and

**WHEREAS**, additional funds have been allocated to this circuit from litigation proceeds secured as a result of settlement between the Attorney General of Florida and various lenders which are for additional technology, case management positions, and judicial positions to reduce the large number of foreclosure cases pending on the docket of the courts of this circuit; it is

**ORDERED** that:

1.       In Escambia, Okaloosa and Walton Counties a Division will be continued or created to address backlogged foreclosure actions filed in those counties.
2.       The division continued or created in those counties to address the foreclosure actions as identified in this order shall be designated “Division W\_\_.”
3.       The Clerk in Escambia, Okaloosa and Walton Counties shall insert the present

civil division designator, whether alpha or numeric, after the “W” designator. (i.e.: Division WA or W1) That process will facilitate reassignment of any unresolved cases to the originating division in the respective counties without further order should written notification of termination of Division “W\_\_” be delivered to the respective Clerk by the Chief Judge.

4. Should any originating division assignment no longer be available upon program termination, the Clerk in the affected county shall equitably reassign any unresolved cases according to the civil division structure then in place in that county.
5. As of the effective date of this order, *all* foreclosure actions - newly filed, currently open, and reopened, shall be reassigned to “Division W\_\_”. To avoid confusion and delay, civil divisions in Escambia and Okaloosa Counties shall continue to set hearings on foreclosure cases presently assigned. Any foreclosure matters set for hearing, including lack of prosecution dismissal hearings, motions to withdraw or substitute counsel, summary judgment, or final hearing, whether scheduled before or after July 1, 2013, are to be heard and resolved by the currently assigned judge in Escambia and Okaloosa Counties, and after June 30, 2013, all other matters shall be scheduled with the Division W\_ judge.
6. To manage the program, the following judicial assignments are made:
  - a. Escambia County Division “W\_\_” Senior Judge John Parnham
  - b. Okaloosa County Division “W\_\_” Senior Judge Keith Brace
  - c. Walton County Division “W\_” Senior Judge Paul Rasmussen

7. First Circuit Court Administration shall employ case managers consistent with the First Judicial Circuit recommendation submitted to TCBC.
8. In processing backlogged foreclosure cases, the civil division judge in Santa Rosa County shall work with the program case managers to facilitate implementation of case management, data collection, and mass scheduling practices utilized by the Division “W\_\_” judges.
9. All judges responsible for processing new and backlogged foreclosure cases in the respective counties shall expend every effort to work with the program case managers and with each other to facilitate best-practices, uniformity, communication, and coordination in processing the assigned cases and compiling required statistical information as required by the Office of State Courts Administrator.
10. Without diminishing due process as to any case, particular emphasis should be placed upon identifying and resolving cases pending more than eighteen (18) months in a descending priority of those over three (3) years old, thirty (30) months old, two (2) years old, and eighteen (18) months old.
11. Division “W\_\_” judges shall have the authority to determine that a case qualifies as complex litigation, commercial litigation, complex commercial litigation, a case involving counter claims that include a request for jury trial, or any other case that appears to require more time than a basic foreclosure action. Division “W\_\_” judges may conclude that differentiated case management practices suggest such a

case would be more appropriately handled by the originally assigned division judge and reassign the case accordingly.

12. This order shall become effective July 1, 2013.

**DONE AND ORDERED** in Pensacola, Escambia County, Florida this 20th day of June, 2013.

/S/ TERRY D. TERRELL

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**TERRY D. TERRELL**  
**CHIEF JUDGE**

Copies furnished to:

All Judges, First Judicial Circuit

All Clerks, First Judicial Circuit

Publication to [www.FirstJudicialCircuit.org](http://www.FirstJudicialCircuit.org)/Document Library

Publication to members by Escambia/Santa Rosa Bar Association

Publication to members by Okaloosa Bar Association

Publication to members by Walton Bar Association