

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

ADMINISTRATIVE ORDER NO. 2015-24

**RE: FORECLOSURE
CONTINUATION OF DIVISIONS “W” FOR
FORECLOSURE CASES**

ORDER

WHEREAS, First Judicial Circuit Administrative Order No. 2013-38 and subsequent AOs continued and expanded the use of Division “W” to take advantage of Legislative appropriated funds which continued the *Foreclosure and Economic Recovery Program* on July 1, 2013; and

WHEREAS, the funding for that Program expires June 30, 2015; and

WHEREAS, that Program substantially reduced the backlog of foreclosure cases in the First Judicial Circuit; however, the Program did not completely eliminate the backlog; and

WHEREAS, the case management strategies developed and implemented across the circuit during the Program demonstrated remarkable efficacy in fairly, yet efficiently, moving cases through the judicial process to closure; and

WHEREAS, in consultation among the Chief Judge, the Administrative Judges, and Court Administration personnel, plans to continue those case management strategies in each county with local funding and with the assignment of either active judges or magistrates with a back-up active judge as may be most effective have been developed; and

WHEREAS, the respective Clerks and the Office of State Courts Administrator have evolved a case tracking system, generally referred to as the Dashboard, for foreclosure cases which timely and efficiently assists court staff with monitoring progress of foreclosure case backlog reduction or potential future increases of that backlog; and

WHEREAS, the continued use of Division “W” across the circuit will facilitate tracking of foreclosure cases and opening, closing, reopening, and reclosing of those cases,

it is

ORDERED that:

1. In Escambia, Okaloosa, Santa Rosa, and Walton Counties Division “W” will continue to address the inventory of foreclosure actions filed in those counties.
2. The Clerk in Escambia, and Okaloosa 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.
3. 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.
4. To manage the program, the Administrative Judge in Escambia County and in Okaloosa County shall enter an Administrative Directive assigning foreclosure cases to a magistrate.

5. In processing backlogged foreclosure cases, the circuit civil division judge in Santa Rosa County and Walton County and the assigned magistrates and their backup judges in Escambia County and Okaloosa County shall work with available case managers to facilitate implementation of case management, data collection, and mass scheduling practices as previously developed by the First Judicial Circuit Division “W” Foreclosure Backlog Reduction Initiative.
6. All judges and magistrates responsible for processing new and backlogged foreclosure cases in the respective counties shall expend every effort to work with available 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.
7. 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 order of priority of those cases over three (3) years old, over thirty (30) months old, over two (2) years old, and over eighteen (18) months old.
8. Division “W__” judges and magistrates 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 and magistrates may conclude that differentiated case management practices suggest such a case would be more appropriately handled

by the originally assigned division judge and order reassignment of the case accordingly.

9. Plaintiff or Plaintiff's counsel shall provide a copy of all notices of hearing or trial and all orders to any defendant who has not filed a notice of e-mail address.
10. This order shall become effective July 1, 2015.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 15th day of June, 2015.

/S/ TERRY D. TERRELL

TERRY D. TERRELL
CHIEF JUDGE

Copies furnished to:

All Judges, First Judicial Circuit
All Magistrates, First Judicial Circuit
All Clerks, First Judicial Circuit
Publication to 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
Robin Wright, Trial Court Administrator