

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR THE STATE OF FLORIDA**

ADMINISTRATIVE ORDER NO. 2010-32

IN RE: Foreclosure

***Foreclosure and Economic Recovery Program;
Creation of Division "W"***

O R D E R

WHEREAS, the Legislature, pursuant to a recommendation from the Supreme Court of Florida, recognizes the need to address the backlog of foreclosure actions across the State and has established the ***Foreclosure and Economic Recovery Program*** for statewide implementation; and

WHEREAS, the First Judicial Circuit qualifies for funding under the ***Foreclosure and Economic Recovery Program*** due to a backlog of foreclosure actions; it is,

ORDERED that:

1. In each county within the First Judicial Circuit a Division will be created to address backlogged foreclosure actions filed in the First Judicial Circuit.
2. The division created in each county to address those foreclosure actions as identified in this order shall be designated "Division W."
3. With the exception of cases in which the Motion for Summary Judgment hearing or a final hearing has been scheduled, foreclosure actions filed on or before

December 31, 2009, shall be reassigned to Division "W" as of the effective date of this order.

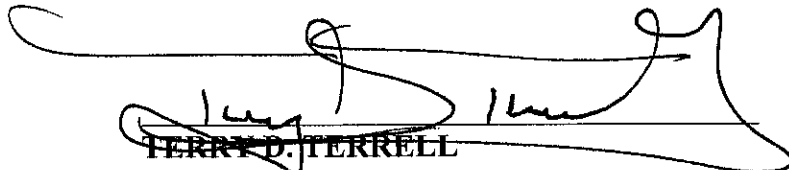
4. The Clerk in each county shall propose a procedural mechanism for reassigning qualified foreclosure cases to Division "W" and shall obtain approval from the Chief Judge for implementation of that procedural mechanism. The Clerks in the First Judicial Circuit shall create the reassignment mechanism with the understanding that should funding for the *Foreclosure and Economic Recovery Program* cease, the cases reassigned under this order shall, under a subsequent order, be reassigned consistent with then existing civil division structure.
5. The creation of a Division "W" in each county creates the need for judicial assignments. The judicial assignments for the First Judicial Circuit are as follows:

Escambia County Division "W"	-	Senior Judge John Parnham
Okaloosa County Division "W"	-	Senior Judge A. Keith Brace
Santa Rosa County Division "W"	-	Senior Judge John Parnham
Walton County Division "W"	-	Senior Judge A. Keith Brace
6. Court Administration of the First Judicial Circuit shall employ a half time case manager (supported by other court administration staff) for services to both Escambia and Santa Rosa counties and one full-time case manager for services to both Okaloosa and Walton counties. Every effort shall be expended to facilitate circuit-wide best practices, uniformity, communication, and coordination of case management services to Division "W".
7. This order does not amend, vacate or supersede the content and/or directives in either First Judicial Circuit Administrative Orders 2009-18 or 2010-01.

8. The judges assigned to Division “W” shall have full authority as permitted by law to adopt case management orders and case management techniques to facilitate uniformity and coordination of processes across the First Judicial Circuit to avoid scheduling conflicts. That authority shall extend to other issues expected because of the unique challenges presented by foreclosure cases to include scheduling of cases handled by the large law firms which predominantly represent Plaintiffs in foreclosure actions.
9. Personal appearance by Plaintiff’s attorney (or local counsel retained by plaintiff’s attorney to appear) is required.
10. Urgent motions and proposed orders must be hand delivered to the assigned Division “W” judge, if available, or the duty judge for signature when requesting cancellation of sales. The Clerk is not required to deliver to the division judge “urgent” or “emergency” motions when plaintiff is requesting the cancellation of a sale. The Clerk has authority to cancel sales upon a defendant filing a copy of a Notice of Bankruptcy in the foreclosure action in which the sale is scheduled.
11. Payment of the required \$70.00 Foreclosure Sale Fee is required to be made at the time the Final Judgment of Foreclosure is submitted to the court for signature. The Clerk will hold the funds until the day prior to the sale.
12. Compliance with a completed checklist is required prior to setting any Final Hearing before the Court.
13. The Division “W” judge will hear any motions involving lack of prosecution in all qualifying foreclosure cases filed prior to December 31, 2009.

14. The effective date of this order is July 1, 2010, through June 30, 2011, unless extended.

DONE AND ORDERED in Pensacola, Escambia County, Florida this 30th day of June, 2010.



TERRY D. TERRELL
CHIEF JUDGE

Copies furnished to:

Honorable A. Keith Brace, Senior Judge
Honorable John Parnham, Senior Judge
All Judges, First Judicial Circuit
All Clerks, First Judicial Circuit
Robin Wright, Trial Court Administrator
Escambia/Santa Rosa Bar Association, for publication
Okaloosa/Walton Bar Association, for publication
Craig VanBrussel, CTO, *First Judicial Circuit Website*