

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2021-017 PA/PI-CIR

**RE: MANDATORY CIVIL CASE MANAGEMENT ORDERS FOR CIVIL CASES
FILED ON OR AFTER APRIL 30, 2021**

The Florida Supreme Court has issued several administrative orders implementing temporary measures essential to safely administering justice during the COVID-19 pandemic. The high court amended its COMPREHENSIVE COVID-19 EMERGENCY MEASURES FOR FLORIDA TRIAL COURTS, AOSC20-23, by provisions which directed chief judges to issue administrative orders requiring presiding judges in specifically defined civil cases to issue case management orders that contain deadlines for completing certain pretrial matters and setting trial dates consistent with the time standards specified in the Florida Rules of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.

The Supreme Court AOSC20-23, in Amendment 12, (hereinafter referred to as AOSC20-23) III G (on pages 16 through 22) sets forth specific provisions for Case Management and Resolution that includes provisions applicable to the existing civil backlog of cases. These “civil cases” are defined (in footnote 13 on page 16) as actions to which the Florida Rules of Civil Procedure apply.

In order to implement these specific provisions, as directed by the Florida Supreme Court, and in accordance with Article V, section 7, Florida Constitution, Rule of General Practice and Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Judges presiding over “civil cases”, whether in circuit court or county court civil divisions, shall review the Supreme Court case management and resolution provisions contained in AOSC20-23, and any subsequent amendments, as well as Fla. R. Jud. Admin 2.250 and 2.545. Thereafter, they shall review their pending civil cases with the requirements of the Supreme Court and this local administrative order in mind. The presiding judges are required to determine the category of each pending “civil case” and are required to issue a case management order in certain civil cases.

2. In AOSC20-23, the three categories of civil cases to be considered are: complex cases, general cases, and streamlined cases. “Complex Civil Cases” are defined as actions that have been or may be designated by court order as complex under Fla. R. Civ. Pro. 1.201. Pursuant to AOSC20-23, the undersigned has determined that “Streamlined Civil Cases” are those civil non-jury actions that will be tried before a judge and “General Civil Cases” are those actions that will be subject to a jury trial.

3. Since complex litigation is governed by the specific case management procedures in Rule 1.201, the provisions in AOSC20-23 do not control issuance of case management orders in

those cases. The court, counsel for the parties, and the parties shall follow the procedures in Rule 1.201 in cases designated as complex.

4. Presiding judges shall issue case management orders in “General Civil Cases” and in “Streamlined Civil Cases” in conformity with the mandates in AOSC20-23 for civil cases filed on or after April 30, 2021. The Supreme Court requires such case management orders to be issued within 30 days of service of the complaint on the last of all named defendants.

5. Counsel for the Plaintiff filing the action or pro se Plaintiffs representing themselves are ordered to diligently pursue efforts to timely serve the defendant(s) in each cause and shall immediately notify the assigned trial judge as soon as service of the complaint on the last of all named defendants occurs. The notification of completed service shall be in the same form as the exemplar attached hereto as “Exhibit B”. This form may also be found on the Sixth Circuit website at www.jud6.org, along with other relevant information, including the judges’ practice preferences. The completed Plaintiff’s Notice of Service of Complaint form may be uploaded to the Judicial Automate Workflow system (JAWS) for the county where the case is located. The Notice must be provided to the assigned trial judge and all parties to the action.

6. It is anticipated that there may be insufficient time to coordinate, schedule, and conduct a noticed case management hearing within the time period between notification that the last defendant has been served and the expiration of the 30 day period proscribed in AOSC20-23. In such circumstances the court may be forced to issue an initial case management order to meet the Florida Supreme Court’s deadline. Litigants and counsel are therefore advised of the fact that the presiding judge may issue a mandatory case management order without a noticed hearing and without any input from the litigants. If counsel for the parties or pro se individuals representing themselves in the cause believe the unique circumstances in their case support the entry of an order different than a mandatory case management order issued by the court without a hearing they may schedule a case management hearing or submit an agreed order for the court’s consideration.

7. Before scheduling any case management hearing, counsel for the parties and pro se individuals representing themselves in cases filed after April 30, 2021, are encouraged to consult and confer in an effort to draft a mutually acceptable Agreed Mandatory Civil Case Management Order for submission to the court that addresses all the deadlines in AOSC20-23 and moves the case to disposition in a timely fashion. The agreed order shall be in substantially the same form as the exemplar attached hereto as “Exhibit A”. This form may also be found on the Sixth Circuit website at www.jud6.org along with other relevant information, including the judges’ practice preferences. Proposed case management orders in these cases may be uploaded to the Judicial Automated Workflow System (JAWS) for the county where the case is located. Presiding judges may accept and sign such orders as they deem appropriate. Agreed orders thus approved will control over prior orders or mandatory orders issued without notice and hearing.

8. Counsel for the parties and pro se individuals representing themselves are hereby noticed that the case management orders must be issued by the presiding judges in an effort to comply with the Florida Supreme Court mandate and that these orders will be sent to the parties and counsel as listed in the service addresses in the court file. All parties are ordered to review the service addresses on file to confirm that the addresses, including email addresses, are correctly

listed. Counsel for the parties are ordered to enter service email addresses within JAWS or confirm that existing service email addresses are correctly listed. Pro se parties who do not have access to JAWS are ordered to update their addresses on file with the Clerk of Court in the county in which the case is filed. These measures have been taken to insure proper service of the orders.

9. All judges within this circuit are directed to strictly comply with Florida Rule of General Practice and Judicial Administration 2.545(a), (b), and (e) which respectively require judges to conclude litigation as soon as reasonably and justly possible, to take charge of all cases at an early stage and to control the progress of the case until it is determined, and to apply a firm continuance policy allowing continuances only for good cause shown.

DONE AND ORDERED in Chambers in St. Petersburg, Pinellas County, Florida, this _____ day of April 2021.

ORIGINAL SIGNED ON APRIL 29, 2021
BY ANTHONY RONDOLINO, CHIEF JUDGE

Exhibit A - Agreed Mandatory Civil Case Management Order (see Exhibit A of Administrative Order 2021-012)

Exhibit B - Plaintiff's Notice of Service of Complaint on the Last of All Named Defendants

cc: All Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of the Circuit Court, Pinellas County
The Honorable Ken Burke, Clerk of the Circuit Court, Pinellas County
Gay Inskeep, Trial Courts Administrator
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel, Second District
Lillian Simon, Director of Administrative Services, Pasco County
Kimberly Thompson, Chief Operations Officer, Pasco County Clerk's Office Bar Associations, Pasco and Pinellas Counties
Law Libraries, Pasco and Pinellas Counties

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO/PINELLAS COUNTY, FLORIDA**

Plaintiff(s),

vs.

Case No. _____

UCN: _____

Defendant(s),
_____ /

PLAINTIFF'S NOTICE OF SERVICE OF COMPLAINT
ON THE LAST OF ALL NAMED DEFENDANTS

This NOTICE OF SERVICE is filed pursuant to the case management mandates in Florida Supreme Court AOSC20-23 and the Sixth Circuit Administrative Order requiring the Plaintiff in civil actions to immediately notify the assigned trial judge as soon as service of the complaint on the last of all named defendants is perfected.

Pursuant to AOSC20-23 and the Sixth Circuit Administrative Order, this case has been designated as a: **(check one)**

_____ Streamlined Case; a non-jury trial will be held before the presiding judge.

_____ General Case; a jury trial will be held.

The service information is:

The last of all named defendants to be served is identified as _____

(name of individual defendant/entity)

Service of this last named defendant(s) was perfected on _____.

(date of service)

Understanding that a case management order must be issued by the court within 30 days of the above listed service date, the undersigned represents in good faith the following: **(check one)**

_____ The parties will submit an agreed case management order prior to the expiration of the 30 days from the service date.

_____ The parties will be able to schedule a case management conference on the court's docket prior to the expiration of the 30 days from the service date.

That hearing date is _____.

_____ It is anticipated that the parties will not have sufficient time, before the expiration of

the 30 days from the service date, to either submit an agreed order or to coordinate, schedule and conduct a case management conference.

Submitted this _____ day of _____, 2021.

(signed) (Plaintiff or Plaintiff's Counsel)

CERTIFICATE OF SERVICE

I certify that this document has been e-filed or mailed to the Clerk and that a copy has been furnished by email/U.S. Mail to the assigned judge and following person(s):

on this _____ day of _____, 2021.