

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

ADMINISTRATIVE ORDER NO. 2021-012 PA/PI-CIR

**RE: MANDATORY REVIEW OF PENDING CIVIL CASES AND SUBMISSION OF
AGREED CIVIL CASE MANAGEMENT ORDERS**

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 in *Amendment 11* 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 11*, section III. G. (on pages 16 through 21) sets forth specific provisions for Case Management and Resolution that include 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. Counsel for the parties and pro se individuals who are representing themselves in these pending “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, *Amendment 11*, 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.

2. In AOSC20-23, *Amendment 11*, 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, *Amendment 11*, 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, *Amendment 11*, do not control issuance of such orders in those cases. Therefore, within 15 days of this Administrative Order, counsel for the plaintiff in any pending complex case shall, as an alternative to the other provisions in this order, send a letter

to the presiding judge notifying the court of the present status of the cause. If there is an existing case management order in effect a copy shall be included for the judge to review.

4. Counsel for the parties and pro se individuals who are representing themselves in “General Civil Cases” and in “Streamlined Civil Cases” are hereby advised that the undersigned chief judge will be entering administrative orders in conformity with the mandates in AOSC20-23, *Amendment 11*, and that the presiding judges in the civil divisions will be required to issue comprehensive case management orders in their cases. The Supreme Court order requires such orders in cases filed before April 30, 2021 to be issued within 30 days of service of the complaint on the last of all named defendants or by May 28, 2021, whichever date is later.

5. Counsel for the parties and pro se individuals representing themselves are hereby noticed that case management orders will be issued by the presiding judges in an effort to comply with the 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 the addresses, including email addresses, are correctly listed. Counsel for the parties are ordered to enter service email addresses within Judicial Automated Workflow System (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 and may do so by filing a Notice of Change of Address in each civil case in which the pro se litigant is a party.

6. The number of cases presently pending in each judge’s section that must be coordinated, scheduled, and noticed for case management conference far exceeds the amount of time presently available on the judge’s docket. Consequently, the presiding judges may be forced to issue case management orders in cases without a noticed hearing and without any input from the litigants. It should be apparent from a review of AOSC20-23, *Amendment 11*, that such a sua sponte case management order will contain deadlines for service of complaints, service under extensions, adding new parties, completion of discovery, objections to pleadings, pretrial motions, and mediation. The order must also address setting trial even though the case may not be at issue.

7. Counsel for the parties and pro se individuals representing themselves in these cases may believe that the unique circumstances presented in their cases support the entry of a case management order tailored to the cause and agreed to by the litigants rather than an order unilaterally issued by the presiding judge. Therefore, the parties 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 the mandatory deadlines in AOSC20-23, *Amendment 11*, and moves the case to disposition in a timely fashion. Proposed case management orders should be uploaded to JAWS for the county where the case is located. This should be done as soon as reasonably possible.

8. In any Agreed Mandatory Civil Case Management Order submitted pursuant to this Administrative Order, the parties must address each requirement specified by AOSC20-23, *Amendment 11*, on page 18. The Agreed Mandatory Civil Case Management Order shall be in substantially the same form as the exemplar attached hereto as “Exhibit A”. This order may also be found on the circuit’s website at www.jud6.org along with other relevant

information.

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

ORIGINAL SIGNED ON MARCH 31, 2021
BY ANTHONY RONDOLINO, CHIEF JUDGE

Exhibit A – Agreed Mandatory Civil Case Management Order

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
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