

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order No. 2017-79-CO

**ADMINISTRATIVE ORDER REGARDING THE TRANSFER OF
CERTAIN PERSONAL INJURY PROTECTION COUNTY COURT CIVIL
ACTIONS**

(a) Florida Rule of Judicial Administration 2.215 (b) (3) states the Chief Judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(b) Florida Rule of Judicial Administration 2.215 (b) (4) authorizes the Chief Judge to assign cases to a judge or judges.

(c) In accordance with the authority vested in the Chief Judge by Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED, effective January 15, 2018:**

(1) All open personal injury protection (PIP) cases currently pending in County Court and reflecting a case number dated 2014 or prior shall be transferred by the Clerk of the Courts to County Civil Division (70) for expedited resolution. These cases are represented in the Clerk of the Courts electronic maintenance software as PIP, PIP1, PIP2, PIP3, PIP4, and PIP-SC.

(2) Upon transfer into County Civil Division (70), the cases shall keep their original case numbers, including courthouse designations (COCE, CONO, COSO, COWE). The Clerk of the Courts shall, however, ensure that the judicial officer designation is changed to reflect the judge assigned to County Civil Division (70) for those transferred actions.

(3) The judge assigned to County Civil Division (70) shall use the Uniform Order Setting Pretrial Deadlines and Related Requirements (“Uniform Pretrial Order”) to move the cases toward resolution, with paragraphs 1-6 of the Uniform Pretrial Order being operative. The judge assigned to County Civil Division (70) may exercise discretion to invoke the Mediation and Arbitration provisions of the Uniform Pretrial Order to assist in resolution of any case.

(4) Upon determining that a compliant joint pretrial stipulation has been filed pursuant to the Uniform Pretrial Order, the judge assigned to County Civil Division (70) may enter an order directing the Clerk of the Courts to transfer the case back to the originally assigned county civil division **if** the case was originally assigned to the Central Courthouse (COCE).

(5) For those PIP cases originally assigned to a satellite courthouse location (designated CONO, COSO, or COWE) and where a compliant joint pretrial stipulation has been filed pursuant to the Uniform Pretrial Order, the judge assigned to County Civil Division (70) may enter an order directing the Clerk of the Courts to transfer such cases to the Central Courthouse for random assignment and assignment of a new case number by the Clerk. Such transferred cases shall be placed on the receiving judge's next trial docket.

(6) Upon transfer of any case to the Central Courthouse for trial, the receiving judge shall not issue another Uniform Pretrial Order or extend any deadlines already expired under the Uniform Pretrial Order issued by the judge assigned to County Civil Division (70), unless good cause is shown or to prevent manifest injustice. Additionally, if the judge assigned to County Civil Division (70) referred the case to mediation and/or arbitration before the transfer, the receiving judge may not refer the case to that method of alternative dispute resolution that had previously been used, unless otherwise agreed to by the parties.

(7) The judge assigned to County Civil Division (70) may exercise discretion and enter an order directing the Clerk of the Courts to transfer any case transferred into County Civil Division (70) back to the originally assigned County Civil Division based on unique or extraordinary circumstances pertaining to such cases. For instance, cases where a joint pretrial joint stipulation has previously been filed or the case is before the trial court upon remand from the appellate court should remain before the originally assigned county civil division.

(8) This Administrative Order shall be effective on January 15, 2018 and remain in effect until further order of this Court.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, this 13th day of December, 2017.

/s/ Jack Tuter
Jack Tuter, Chief Judge