

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

Administrative Order 2018-100-Civ

**ADMINISTRATIVE ORDER ESTABLISHING
CIRCUIT CIVIL CASE DISTRIBUTION**

(a) Pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and power to do everything necessary to promote the prompt and efficient administration of justice.

(b) 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.”

(c) In accordance with the authority vested in the Chief Judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statute, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED, effective January 8, 2019:**

(1) The Clerk of Court shall assign circuit civil cases at the time of filing to the designated circuit civil divisions, not including circuit civil complex litigation divisions, in as equal a distribution as possible.

(2) The Clerk of Court shall assign all circuit residential mortgage foreclosure cases to Division 11. If a residential mortgage foreclosure case is assigned to a division other than Division 11, upon notice to the Clerk of Court, the case shall be reassigned to Division 11.

(3) Upon the filing of a pleading or paper for a case in a closed division, the Clerk of Court shall randomly reassign the case to a circuit civil division, not including a circuit civil complex litigation division.

(4) If cases are filed and assigned to different civil divisions which concern the same subject matter or common issues the cases may be consolidated as follows:

(a) The plaintiff or defendant shall file a notice in each case setting forth the parties and case number of the similar case(s).

(b) The party seeking consolidation shall file a motion and set a hearing in the division with the lowest/earliest case number.

- (c) If an order granting the consolidation is entered it shall indicate if it is consolidated for discovery, trial, or discovery and trial. Consolidated cases remain separate cases for the filing of pleadings and papers and only the case number for the case in which the pleading or paper is filed shall be stated with no reference to the companion case number.
 - (d) The Clerk of Court shall reflect on her case maintenance system the consolidation of cases and the division hearing the consolidated cases.
- (5) A case may be reassigned between circuit civil divisions as follows:
- (a) Upon the entry of an order of disqualification or recusal by the division judge the Clerk of Court shall randomly assign the case to a circuit civil division, excluding the complex litigation divisions.
 - (b) Upon the entry of an order of disqualification or recusal by a complex litigation division judge the Clerk of Court shall assign the case to a complex division as directed by the Administrative Judge for the Circuit Civil Division; however, if all judges assigned to complex litigation are disqualified or recused the Clerk of Court shall randomly assign the case to a circuit civil division.
 - (c) Upon the entry of an order determining the case is complex the Clerk of Court shall assign the case to a circuit civil complex division as directed by the Administrative Judge for the Circuit Civil Division.
 - (e) Upon entry of any order reassigning a case from a circuit civil to circuit probate division the Clerk of Court shall randomly assign the case to a circuit probate division. The party seeking the transfer shall file a motion and set a hearing in the division with the lowest/earliest case number.
- (6) This Administrative Order vacates and supersedes Administrative Order 2015-26-Civ on January 8, 2019.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this 3rd day of December, 2018.

/s/Jack Tuter
Jack Tuter, Chief Judge