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

Administrative Order 2020-86-CO

WRITS OF POSSESSION IN LANDLORD/TENANT PROCEEDINGS

(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 the 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 "develop an administrative plan" and "shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit."

(c) Florida Rule of Civil Procedure 1.570 requires final judgments entered in residential eviction cases to include language directing the clerk of court to issue a writ of possession and deliver it to the Sheriff for execution.

(d) In some instances, following a final judgment for eviction, landlords accept rent monies from tenants and allow such individuals to remain in the residence, thus delaying execution of the writ for an extended period.

(e) It has been a standard practice of the Broward Sheriff's Office Civil Division not to execute writs of possession issued more than thirty (30) days after the judgment date.

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

(1) **Effectively immediately,** the Broward Sheriff's Office Civil Division shall not execute any writ of possession that is issued more than sixty (60) days after the judgment date. In this case, the plaintiff/landlord must obtain a court order authorizing the execution and/or re-issuance of the writ of possession or file a subsequent eviction action. **This paragraph shall expire on March 1, 2021 at 12:01 a.m.**

(2) **Effective March 1, 2021 at 12:01 a.m.**, the Broward Sheriff's Office Civil Division shall not execute any writ of possession that is issued more than thirty (30) days after the judgment date. In this instance, the plaintiff/landlord must obtain a court order authorizing the execution and/or re-issuance of the writ of possession or file a subsequent eviction action.

(3) This Administrative Order supersedes and vacates Administrative Order VI-93-E-4.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida this 22nd day of October, 2020.

/s/ Jack Tuter
Jack Tuter, Chief Judge