

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

Administrative Order No. 2022-16-CO

**TRANSFER OF COUNTY COURT CIVIL ACTIONS INVOLVING
WINDHAVEN INSURANCE COMPANY**

- (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 General Practice and 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 General Practice and Judicial Administration 2.215(b)(4) authorizes the chief judge to assign cases to a judge or judges.
- (d) On December 12, 2019, the Second Judicial Circuit in *State of Florida ex rel. the Department of Financial Services of the State of Florida v. Windhaven Insurance Company*, Case No. 2019-CA-002861, issued an order imposing an automatic stay pursuant to section 631.041(1), Florida Statutes, prohibiting “[t]he commencement or continuation of judicial, administrative, or other action or proceedings against [Windhaven Insurance Company] or against its assets or any part thereof.”
- (e) There are currently more than 1,000 cases pending in the Seventeenth Judicial Circuit in which Windhaven Insurance Company is a named defendant. Given the automatic stay pursuant to section 631.041(1), Florida Statutes, the assignment of all cases currently pending in the County Court to a single judge to monitor the status of each case during the pendency of the stay promotes judicial economy and efficiency.
- (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 Florida

Rule of General Practice and Judicial Administration 2.215, it is hereby **ORDERED:**

(1) The Clerk of the Courts shall transfer all open cases currently pending in the County Court and involving Windhaven Insurance Company as a named defendant to County Civil Division (74). In the event additional cases meeting the criteria set forth herein are discovered, the Administrative Judge of the County Court may direct the transfer of such cases by memorandum or other appropriate notice to the Clerk.

(2) Upon transfer to County Civil Division (74), the cases shall keep their original cases numbers, including courthouse designations (COCE, CONO, COSO, or COWE). The Clerk shall ensure, however, that the judicial officer designation is updated to reflect the judge assigned to County Civil Division (74) for those transferred cases.

(3) This Administrative Order supersedes and vacates Administrative Order 2019-102-CO.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida, this 24th day of March, 2022.

/s/ Jack Tuter
Jack Tuter, Chief Judge