

Supreme Court of Florida

No. AOSC09-8

Corrected

IN RE: TASK FORCE ON RESIDENTIAL MORTGAGE
 FORECLOSURE CASES

ADMINISTRATIVE ORDER

Residential mortgage foreclosure case filings have increased dramatically in the circuit courts, resulting in a tremendous strain on limited judicial resources and reflecting a significant crisis in Florida communities. These cases are of concern not only because of their high volume but also because many homeowners do not have legal representation.

A number of circuits have implemented a variety of approaches to more efficiently manage and process pending foreclosure cases and to facilitate early resolution of cases outside the court system through mediation or other alternate dispute resolution efforts. However, the residential mortgage foreclosure crisis is of statewide proportions and should, to the extent possible, be addressed on a statewide basis with uniform court rules, policies, and procedures to manage cases, to protect the rights of homeowners and lenders, and to ease the burden on the courts.

Accordingly, the Task Force on Residential Mortgage Foreclosure Cases is hereby established to recommend to the Supreme Court policies, procedures, strategies, and methods for easing the backlog of pending residential mortgage foreclosure cases while protecting the rights of parties. These recommendations may include mediation and other alternate dispute resolution strategies, case management techniques, and approaches to providing *pro bono* or low-cost legal assistance to homeowners. The Task Force should examine existing court rules and propose new rules or rule changes that will facilitate early, equitable resolution of residential mortgage foreclosure cases.

The Task Force shall submit an interim report and recommendations to the Supreme Court of Florida no later than May 8, 2009. The Task Force's final report and recommendations should be submitted to the Court no later than August 15, 2009. The Task Force shall submit its reports to the Chief Justice through the State Courts Administrator.

The Task Force is directed to make every effort to conserve scarce court resources by using discretion in the establishment of subcommittees that require operating funds and staff support; limiting the number of in-person meetings; and utilizing such options as telephone conference calls, videoconferencing, and other electronic meeting options as appropriate.

The Task Force is authorized to propose amendments to rules of court procedure on matters involving residential mortgage foreclosures, as well as pursue those amendments with the appropriate Florida Bar rules committees. In proposing rules or rule changes, the Task Force should liaison with the Rules of Judicial Administration and Rules of Civil Procedures committees of The Florida Bar.

Should the Task Force make recommendations that require additional court funding or resources to implement, the Task Force is directed to establish the necessary liaison relationship with the District Court of Appeal Budget Commission or the Trial Court Budget Commission, as appropriate. At a minimum, the Task Force shall provide the chair of the respective budget commission with copies of Task Force reports and recommendations that reference the need for additional court funding or resources.

The following individuals are appointed to the Task Force for a term that expires on September 30, 2009:

The Honorable Jennifer Bailey
Circuit Court Judge, Eleventh Judicial Circuit
73 W. Flagler Street, Room 1307
Miami, Florida 33130

Ms. Rosezetta Bobo
Consultant/Mediator
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Mr. Alan Bookman
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Ms. Arnell Bryant-Willis
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Mr. J. Thomas Cardwell
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Akerman Senterfitt
Orlando, Florida 32802

Ms. April Charney
Jacksonville Area Legal Aid
126 W. Adams Street
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The Honorable Burton Conner
Committee on Alternative Dispute Resolution Rules and Policy
Circuit Court Judge, Nineteenth Judicial Circuit
218 S. Second Street, Room 312
Fort Pierce, Florida 34950

Ms. Sandra Fascell Diamond
Real Property, Probate and Trust Law Section of The Florida Bar
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Seminole, Florida 33772

Mr. Michael M. Fields
Florida Bankers Association
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Gregory Firestone, Ph.D.
Committee on Alternative Dispute Resolution Rules and Policy
University of South Florida Conflict Resolution Collaborative
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Tampa, Florida 33612-4799

The Honorable Lee A. Haworth
Chief Judge, Twelfth Judicial Circuit
P. O. Box 48927
Sarasota, Florida 34230

The Honorable Claudia Isom
Rules of Civil Procedure Committee of The Florida Bar
Circuit Court Judge, Thirteenth Judicial Circuit
800 E. Twiggs Street, Room 513
Tampa, Florida 33602

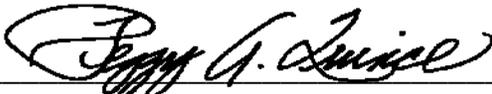
Mr. Perry S. Itkin
Committee on Alternative Dispute Resolution Rules and Policy
Dispute Resolution, Inc.
2200 N.E. 33rd Avenue
Fort Lauderdale, Florida 33305-1889

The Honorable Alex Sink, or designee
Chief Financial Officer, State of Florida
Plaza Level 11, The Capitol
Tallahassee, Florida 32399

Ms. Rebecca Storrow
ADR Director, Fifteenth Judicial Circuit
Palm Beach County Courthouse
205 N. Dixie Highway
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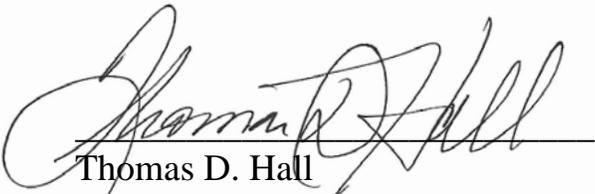
Judge Jennifer Bailey shall serve as chair of the Task Force. The Office of the State Courts Administrator shall provide the necessary staff support to enable the Task Force to carry out its duties.

DONE AND ORDERED at Tallahassee, Florida, on March 27, 2009.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall
Clerk, Supreme Court

