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APPENDIX C

Proposed Rule	Reason for Change
RULE 9.010. EFFECTIVE DATE ~~AND~~; SCOPE; APPLICABILITY OF FLORIDA RULES OF JUDICIAL ADMINISTRATION	Title amended to include the applicability of the Florida Rules of Judicial Administration.
These rules, cited as "Florida Rules of Appellate Procedure," and abbreviated "Fla. R. App. P.," shall take effect at 12:01 a.m. on March 1, 1978. They shall govern all proceedings commenced on or after that date in the supreme court, the district courts of appeal, and the circuit courts in the exercise of the jurisdiction described by rule 9.030(c); provided that any appellate proceeding commenced before March 1, 1978, shall continue to its conclusion in the court in which it is then pending in accordance with the Florida Appellate Rules, 1962 Amendment.	
The Florida Rules of Judicial Administration are applicable in all proceedings governed by these rules, except as otherwise provided by these rules. These rules shall supersede all conflicting statutes and, as provided in Florida Rule of Judicial Administration 2.130, all conflicting rules of procedure.	Amended to move language from existing subdivision (h) "Applicability of Florida Rules of Judicial Administration" of Rule 9.020 (Definitions) to this rule as the language is more applicable in the "Scope" rule rather than the "Definitions" rule.
Committee Notes	
[No change]	

RULE 9.020. DEFINITIONS The following terms have the meanings shown as used in these rules: **(a) Administrative Action.** Administrative action shall include: (1) final agency action as defined in the Administrative Procedure Act, chapter 120, Florida Statutes; (2) ~~non-final~~nonfinal action by an agency or administrative law judge reviewable under the Administrative Procedure Act; (3) quasi-judicial decisions by any administrative body, agency, board, or commission not subject to the Administrative Procedure Act; and (4) [No change] **(b)–(g)** [No change] ~~**(h) Applicability of Florida Rules of Judicial Administration.** The Florida Rules of Judicial Administration are applicable in all proceedings governed by these rules, except as otherwise provided in these rules. These rules shall govern where in conflict with the Florida Rules of Judicial Administration.~~ ~~**(i)**~~**(h) Rendition (of an Order).** An order is rendered when a signed, written order is filed with the clerk of the lower tribunal. ~~However, unless another applicable rule of procedure specifically provides to the contrary, if a final order has been~~	Removes hyphen from "non-final" for consistency throughout the rules set. Adds a comma after "board." Moves language from existing subdivision (h) to Rule 9.010 (Effective Date; Scope; Applicability of the Florida Rules of Judicial Administration). Renumbers the "Rendition" subdivision as (h). Reorganizes newly renumbered subdivision (h)

~~entered and there has been filed in the lower tribunal an authorized and timely motion for new trial, for rehearing, for certification, to alter or amend, for judgment in accordance with prior motion for directed verdict, for arrest of judgment, to challenge the verdict, to correct a sentence or order of probation pursuant to Florida Rule of Criminal Procedure 3.800(b)(1), to withdraw a plea after sentencing pursuant to Florida Rule of Criminal Procedure 3.170(*l*), or to vacate an order based upon the recommendations of a hearing officer in accordance with Florida Family Law Rule of Procedure 12.491, the following exceptions apply:~~	subdivision to provide greater clarity to the reader.
(1) Motions Tolling Rendition. The following motions, if authorized and timely filed, toll rendition unless another applicable rule of procedure specifically provides to the contrary:	Reorganizes the deleted paragraph above for greater clarity to the reader, and creates subdivision (h)(1).
(A) motion for new trial; (B) motion for rehearing; (C) motion for certification; (D) motion to alter or amend; (E) motion for judgment in accordance with prior motion for directed verdict, for arrest of judgment; (F) motion to challenge the verdict; (G) motion to correct a sentence or order of probation pursuant to Florida Rule of Criminal Procedure	Proposed new subdivisions (h)(1)(A)–(h)(1)(I) detail the motions that toll rendition.

3.800(b)(1); (H) motion to withdraw a plea after sentencing pursuant to Florida Rule of Criminal Procedure 3.170(*l*); or (I) motion to vacate an order based upon the recommendations of a hearing officer in accordance with Florida Family Law Rule of Procedure 12.491. **(2) Effect of Motions Tolling Rendition.** If an authorized and timely motion listed in subdivision (h)(1) of this rule has been filed in the lower tribunal directed to a final order, the following apply:	Reorganizes the "effect of motions tolling rendition" for greater clarity to the reader.
~~(1)~~(A) ~~If such a motion or motions have been filed, t~~The final order shall not be deemed rendered as to any existing party until the filing with the clerk of a signed, written order disposing of the last of such motions.	Renumbers the subdivision as (h)(2)(A). Removes language regarding "motion or motions have been filed" as that language is incorporated in new subdivision (h)(2). Rewords the subdivision to indicate with whom the final order should be filed.
~~(2)~~(B) ~~If such a motion or motions have been filed, a~~A signed, written order granting a new trial shall be deemed rendered when filed with the clerk, notwithstanding that other such motions may remain pending at the time.	Renumbers the subdivision as (h)(2)(B). Removes language regarding "motion or motions have been filed" as that language is incorporated in new subdivision (h)(2).
~~(3)~~(C) If ~~such a motion or motions have been filed and~~ a notice of appeal is filed before the filing with the clerk of a signed, written order disposing of all such motions, the appeal shall be held in abeyance until the filing with, the clerk of a signed, written order disposing of the last of such motion.	Renumbers the subdivision as (h)(2)(C). Removes language regarding "motion or motions have been filed" as that language is incorporated in new subdivision (h)(2). Rewords the subdivision to indicate with whom the final order should be filed.
~~(j)~~**(i)** **Rendition of an Appellate Order.** If any timely	Renumbers the subdivision as (i) to accommodate the

and authorized motion under rule 9.330 or 9.331 is filed, the order shall not be deemed rendered as to any party until all of the motions are either withdrawn or resolved by the filing of a written order. **(j) Conformed Copy.** A true and accurate copy. **(k) Signed.** [No change] **(l) E-filing System Docket.** The docket where attorneys and those parties who are registered users of the court's electronic filing (e-filing) system can view the electronic documents filed in their case(s). **Committee Notes** [No change]	renumbering of subdivision (h). Creates new subdivision (j) to define "conformed copy." NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

RULE 9.030. JURISDICTION OF COURTS	
(a) Jurisdiction of the Supreme Court of Florida.	Amended to add an article before "Supreme Court," to identify the court being referenced, and avoid confusion with the United States Supreme Court.
(1) Appeal Jurisdiction.	
(A) The supreme court shall review, by appeal:	Adds a colon to the end of the subdivision to conform to *In re: Guidelines for Rules Submissions*, AOSC06-14 (Fla. 2006) ("*Guidelines*").
(i) final orders of courts imposing sentences of death;[1] and	Amended to include the conjunctive "and."
(ii) decisions of district courts of appeal declaring invalid a state statute or a provision of the state constitution.[2]	
(B) If provided by general law, the supreme court shall review:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(i) by appeal final orders entered in proceedings for the validation of bonds or certificates of indebtedness;[3] and	Amended to include the conjunctive "and."
(ii) action of statewide agencies relating to rates or service of utilities providing electric, gas, or telephone service.[4]	
(2) Discretionary Jurisdiction. The discretionary jurisdiction of the supreme court may be sought to review:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) decisions of district courts of appeal	Adds a colon to the end of the subdivision to conform to

that:[5] (i) expressly declare valid a state statute; (ii) expressly construe a provision of the state or federal constitution; (iii) expressly affect a class of constitutional or state officers; (iv) expressly and directly conflict with a decision of another district court of appeal or of the supreme court on the same question of law; (v) pass upon a question certified to be of great public importance; or (vi) are certified to be in direct conflict with decisions of other district courts of appeal; (B) orders and judgments of trial courts certified by the district court of appeal in which the appeal is pending to require immediate resolution by the supreme court, and:[6] (i) to be of great public importance~~,~~; or (ii) to have a great effect on the proper administration of justice; or (C) questions of law certified by the	the *Guidelines*. Amended to include the conjunctive "or." Adds a colon to the end of the subdivision to conform to the *Guidelines*. Change the comma to a semicolon for consistency. Amended to include the conjunctive "or."

Supreme Court of the United States or a United States court of appeals that are determinative of the cause of action and for which there is no controlling precedent of the Supreme Court of Florida.[7] **(3) Original Jurisdiction.** [No change] **(b) Jurisdiction of District Courts of Appeal.** **(1) Appeal Jurisdiction.** District courts of appeal shall review, by appeal:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) final orders of trial courts, [1 2] not directly reviewable by the supreme court or a circuit court, including county court final orders declaring invalid a state statute or provision of the state constitution;	
(B) ~~non-final~~nonfinal orders of circuit courts as prescribed by rule 9.130;[9] and	Removes the hyphen in "non-final" for consistency throughout the rules set. Includes the conjunctive "and."
(C) administrative action if provided by general law.[2]	
(2) Certiorari Jurisdiction.[8] The certiorari jurisdiction of district courts of appeal may be sought to review:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) ~~non-final~~nonfinal orders of lower tribunals other than as prescribed by rule 9.130; or	Removes the hyphen in "non-final" for consistency throughout the rules set. Includes the conjunctive "or."
(B) final orders of circuit courts acting in their review capacity.	

(3) Original Jurisdiction. [No change]	
(4) Discretionary Review.[10] District courts of appeal, in their discretion, may review by appeal:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) final orders of the county court, otherwise appealable to the circuit court under these rules, that the county court has certified to be of great public importance; or	Amended to include the conjunctive "or."
(B) ~~non-final~~nonfinal orders, otherwise appealable to the circuit court under rule 9.140(c), that the county court has certified to be of great public importance.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(c) Jurisdiction of Circuit Courts.	
(1) Appeal Jurisdiction. The circuit courts shall review, by appeal:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) final orders of lower tribunals as provided by general law;[1 2]	
(B) ~~non-final~~nonfinal orders of lower tribunals as provided by general law; and	Removes the hyphen from "non-final" for consistency throughout the rules set. Amended to include the conjunctive "and."
(C) administrative action if provided by general law.	
(2) Certiorari Jurisdiction.[8] The certiorari jurisdiction of circuit courts may be sought to review ~~non-final~~nonfinal orders of lower tribunals other than as prescribed by rule 9.130.	Removes the hyphen from "non-final" for consistency throughout the rules set.

(3) Original Jurisdiction. [No change] **(4) Panels.** Matters within the circuit court's jurisdiction under this rule shall be considered by a panel of 3 judges, and the concurrence of 2 judges shall be necessary to a decision. 1. 9.140: Appeal Proceedings in Criminal Cases. 2. 9.110: Appeal Proceedings: Final Orders. 3. 9.110(i): Validation of Bonds. 4. 9.110: Appeal Proceedings: Final Orders; 9.100: Original Proceedings. 5. 9.120: Discretionary Review of District Court Decisions. 6. 9.125: Discretionary Review of Trial Court Orders and Judgments Certified by the District Court. 7. 9.150: Certified Questions from Federal Courts. 8. 9.100: Original Proceedings. 9. 9.130: Appeal Proceedings: Non-Final Orders. 10. 9.160: Discretionary Review of County Court Decisions. **Committee Notes** [No change]	Creates new subdivision (c)(4) to require panels for appeals within the circuit court's jurisdiction.

RULE 9.040. GENERAL PROVISIONS	
(a) Complete Determination. [No change]	
(b) Forum.	
(1) If a proceeding is commenced in an inappropriate court, that court shall transfer the cause to an appropriate court.	
(2) After a lower tribunal renders an order transferring venue, the appropriate court to review otherwise reviewable ~~non-final~~nonfinal orders is as follows:	Removes the hyphen from "non-final" for consistency throughout the rules set.
(A) After rendition of an order transferring venue, the appropriate court to review the ~~non-final~~nonfinal venue order, all other reviewable ~~non-final~~nonfinal orders rendered prior to or simultaneously with the venue order, any order staying, vacating, or modifying the transfer of venue order, or an order dismissing a cause for failure to pay venue transfer fees, is the court that would review ~~non-final~~nonfinal orders in the cause, had venue not been transferred.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(B) After rendition of an order transferring venue, the appropriate court to review any subsequently rendered reviewable ~~non-final~~nonfinal order, except for those orders listed in subdivision (b)(2)(A), is the court ~~which~~that would review the order, if the cause had been filed in the lower tribunal to which venue was transferred.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(C) The clerk of the lower tribunal whose order is being reviewed shall perform the procedures required by these provisions regarding transfer of venue,	Removes the hyphen from "non-final" for consistency throughout the rules set. Substitutes "which" with "that" for the ease of the reader.

including accepting and filing a notice of appeal. If necessary to facilitate ~~non-final~~nonfinal review, after an order transferring venue has been rendered, the clerk of the lower tribunal shall copy and retain such portions of the record as are necessary for review of the ~~non-final~~nonfinal order. If the file of the cause has been transferred to the transferee tribunal before the notice of appeal is filed in the transferring tribunal, the clerk of the transferee tribunal shall copy and transmit to the transferring tribunal such portions of the record as are necessary for review of the ~~non-final~~nonfinal order. **(c)–(f)** [No change] **(g) Clerks' Duties.** On filing of a notice prescribed by these rules, the clerk shall forthwith transmit the fee and a certified copy of the notice, showing the date of filing, to the court. If jurisdiction has been invoked under rule 9.030(a)(2)(A)(v) or (a)(2)(A)(vi), or if a certificate has been issued by a district court of appeal under rule 9.030(a)(2)(B), the clerk of the district court of appeal shall transmit copies of the certificate and decision or order and any suggestion, replies, or appendices with the certified copy of the notice. Notices to review final orders of county and circuit courts in civil cases shall be recorded. **(h)–(i)** [No change] **Committee Notes** [No change]	Removes the hyphen from "non-final" for consistency throughout the rules set. Adds "of appeal" to correctly identify the court being references as the District Court of Appeal.

RULE 9.100. ORIGINAL PROCEEDINGS	
(a) Applicability. This rule applies to those proceedings that invoke the jurisdiction of the courts described in rules 9.030(a)(3), (b)(2), (b)(3), (c)(2), and (c)(3) for the issuance of writs of mandamus, prohibition, quo warranto, certiorari, and habeas corpus, and all writs necessary to the complete exercise of the courts' jurisdiction; and for review of ~~non-final~~nonfinal administrative action.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(b) Commencement; Parties. The original jurisdiction of the court shall be invoked by filing a petition, accompanied by any filing fees prescribed by law, with the clerk of the court having jurisdiction. The parties to the proceeding shall be as follows:	
(1)–(2) [No change]	
(3) The following officials shall not be named as respondents to a petition, but a copy of the petition shall be served on the official who issued the order that is the subject of the petition:	
(A) ~~J~~judges of lower tribunals shall not be named as respondents to petitions for certiorari;	Begins the subdivision with a lower case letter to conform to the *Guidelines*.
(B) ~~I~~individual members of agencies, boards, and commissions of local governments shall not be named as respondents to petitions for review of quasi-judicial action; and	Begins the subdivision with a lower case letter to conform to the *Guidelines*.
(C) ~~O~~officers presiding over administrative proceedings, such as hearing officers and	Begins the subdivision with a lower case letter to conform to the *Guidelines*. Removes the hyphen from "non-final" for consistency

administrative law judges, shall not be named as respondents to petitions for review of ~~non-final~~nonfinal agency action.	throughout the rules set.
(c) Petitions for Certiorari; Review of ~~Non-Final~~Nonfinal Agency Action; Review of Prisoner Disciplinary Action. The following shall be filed within 30 days of rendition of the order to be reviewed:	Removes the hyphen from "non-final" for consistency throughout the rules set.
(1) ~~A~~a petition for certiorari~~.~~;	Begins the subdivision with a lower case and ends the subdivision with a semicolon instead of a period to conform to the *Guidelines*.
(2) ~~A~~a petition to review quasi-judicial action of agencies, boards, and commissions of local government, which action is not directly appealable under any other provision of general law but may be subject to review by certiorari~~.~~;	Begins subdivision with a lower case and ends the subdivision with a semicolon instead of a period to conform to the *Guidelines*.
(3) ~~A~~a petition to review ~~non-final~~nonfinal agency action under the Administrative Procedure Act~~.~~; or	Begins subdivision with a lower case and ends the subdivision with a semicolon instead of a period letter to conform to the *Guidelines*. Also removes the hyphen from "non-final" for consistency throughout the rules set. Amended to include the conjunctive "or."
(4) ~~A~~a petition challenging an order of the Department of Corrections entered in prisoner disciplinary proceedings.	Begins subdivision with a lower case letter to conform to the *Guidelines*.
(d)–(f) [No change]	
(g) Petition. The caption shall contain the name of the court and the name and designation of all parties on each side. The petition shall not exceed 50 pages in length and shall contain:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(1)–(4) [No change]	
(h)–(*l*) [No change]	

Committee Notes	
[No change]	

RULE 9.110. APPEAL PROCEEDINGS TO REVIEW FINAL ORDERS OF LOWER TRIBUNALS AND ORDERS GRANTING NEW TRIAL IN JURY AND ~~NON-JURY~~NONJURY CASES	Amended to remove the hyphen from "non-jury" for consistency throughout the rules set.
(a) Applicability. This rule applies to those proceedings that:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(1) invoke the appeal jurisdiction of the courts described in rules 9.030(a)(1), (b)(1)(A), and (c)(1)(A);	
(2) seek review of administrative action described in rules 9.030(b)(1)(C) and (c)(1)(C); and	
(3) seek review of orders granting a new trial in jury and ~~non-jury~~nonjury civil and criminal cases described in rules 9.130(a)(4) and 9.140(c)(1)(C).	Amended to remove the hyphen from "non-jury" for consistency throughout the rules set.
(b)–(e) [No change]	
(f) Briefs. The ~~A~~appellant's initial brief shall be served within 70 days of filing the notice. Additional briefs shall be served as prescribed by rule 9.210.	Amended to include an article before "appellant."
(g) Cross-Appeal. [No change]	
(h) Scope of Review. Except as provided in subdivision (k), ~~T~~the court may review any ruling or matter occurring before filing of the notice. Multiple final orders may be reviewed by a single notice, if the notice is timely filed as to each	Amended to clarify that the scope of review is different for partial final judgments.

such order.	
(i) Exception; Bond Validation Proceedings. If the appeal is from an order in a proceeding to validate bonds or certificates of indebtedness, the record shall not be transmitted unless ordered by the supreme court. The ~~A~~appellant's initial brief, accompanied by an appendix as prescribed by rule 9.220, shall be served within 20 days of filing the notice. Additional briefs shall be served as prescribed by rule 9.210.	Amended to add the article "the" before "appellant."
(j) Exception; Appeal Proceedings from District Courts of Appeal. If the appeal is from an order of a district court of appeal, the clerk shall electronically transmit the record to the court within 60 days of filing the notice. The ~~A~~appellant's initial brief shall be served within 20 days of filing the notice. Additional briefs shall be served as prescribed by rule 9.210.	Amended to add the article "the" before "appellant."
(k) Review of Partial Final Judgments. Except as otherwise provided herein, partial final judgments are reviewable either on appeal from the partial final judgment or on appeal from the final judgment in the entire case. A partial final judgment, other than one that disposes of an entire case as to any party, is one that disposes of a separate and distinct cause of action that is not interdependent with other pleaded claims. If a partial final judgment totally disposes of an entire case as to any party, it must be appealed within 30 days of rendition. The scope of review of a partial final judgment may include any ruling or matter occurring before filing of the notice of appeal so long as such ruling or matter is directly related to an aspect of the partial final judgment under review.	Amended to clarify that subdivision (h) does not expand the scope of review of partial final judgments to include rulings that are not directly related to and an aspect of the final order under review.
(*l*) Premature Appeals. Except as provided in rule 9.020(~~i~~h), if a notice of appeal is filed before rendition of a final	Amended to conform to the Committee's proposed amendments moving the "Rendition" subdivision of Rule 9.020

order, the appeal shall be subject to dismissal as premature. However, the lower tribunal retains jurisdiction to render a final order, and if a final order is rendered before dismissal of the premature appeal, the premature notice of appeal shall be considered effective to vest jurisdiction in the court to review the final order. Before dismissal, the court in its discretion may grant the parties additional time to obtain a final order from the lower tribunal. **(m) Exception; Insurance Coverage Appeals.** [No change] **Committee Notes** **1977 Amendment–2014 Amendment** [No change] **20__ Amendment.** Subdivision (k) was amended to clarify that subdivision (h) does not expand the scope of review of partial final judgments to include rulings that are not directly related to and an aspect of the final order under review. *E.g.*, *Cygler v. Presjack*, 667 So. 2d 458, 461 (Fla. 4th DCA 1996). **Court Commentary** [No change]	(Definitions) to (h). New committee note to explain the amendments regarding the scope of review for partial final judgments.

RULE 9.120. DISCRETIONARY PROCEEDINGS TO REVIEW DECISIONS OF DISTRICT COURTS OF APPEAL	
(a)–(c) [No change]	
(d) Briefs on Jurisdiction. The ~~P~~petitioner's brief, limited solely to the issue of the supreme court's jurisdiction and accompanied by an appendix containing only a conformed copy of the decision of the district court of appeal, shall be served within 10 days of filing the notice. The ~~R~~respondent's brief on jurisdiction shall be served within 20 days after service of petitioner's brief. Formal requirements for both briefs are specified in rule 9.210. No reply brief shall be permitted. If jurisdiction is invoked under rule 9.030(a)(2)(A)(v) (certifications of questions of great public importance by the district courts of appeal to the supreme court), no briefs on jurisdiction shall be filed.	Amended to add the article "the" before "appellant." Amended to add the article "the" before "appellant." Adds "of appeal" to correctly identify the courts being referenced as the District Courts of Appeal.
(e) Accepting or Postponing Decision on Jurisdiction; Record. If the supreme court accepts or postpones decision on jurisdiction, the court shall so order and advise the parties and the clerk of the district court of appeal. Within 60 days thereafter or such other time set by the court, the clerk shall electronically transmit the record. The clerk shall transmit separate Portable Document Format ("PDF") files of: (1) the contents of the record as described in rule 9.200(a) and (c); (2) the transcript as described in rule 9.200(b); and	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

(3) the documents filed in the district court in the record on appeal format described in rule 9.200(a) and (c). **(f) Briefs on Merits.** Within 20 days of rendition of the order accepting or postponing decision on jurisdiction, the petitioner shall serve the initial brief on the merits~~, accompanied by an appendix that must include a conformed copy of the decision of the district court of appeal~~. Additional briefs shall be served as prescribed by rule 9.210. **Committee Notes** [No change]	Deletes the last part of the sentence as it is duplicative to require the brief on the merits to include a conformed copy of the decision of the District Court of Appeal.

RULE 9.125. REVIEW OF TRIAL COURT ORDERS AND JUDGMENTS CERTIFIED BY THE DISTRICT COURTS OF APPEAL AS REQUIRING IMMEDIATE RESOLUTION BY THE SUPREME COURT OF FLORIDA	Amends the rule title at avoid confusion with the United States Supreme Court by adding "of Florida" to end of the title.
(a) Applicability. This rule applies to any order or judgment of a trial court that has been certified by the district court of appeal to require immediate resolution by the supreme court because the issues pending in the district court of appeal are of great public importance or have a great effect on the proper administration of justice throughout the state. The district court of appeal may make such certification on its own motion or on suggestion by a party.	Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal.
(b) Commencement. [No change]	
(c) Suggestion. Any party may file with the district court of appeal and serve on the parties a suggestion that the order to be reviewed should be certified by the district court of appeal to the supreme court. The suggestion shall be substantially in the form prescribed by this rule and shall be filed within 10 days from the filing of the notice of appeal.	Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal.
(d) Response. [No change]	
(e) Form. The suggestion shall be limited to 5 pages and shall contain all of the following elements:	
(1) ~~A~~a statement of why the appeal requires	

immediate resolution by the supreme court~~.~~;	
(2) ~~A~~a statement of why the appeal:	Begins the subdivision with a lower case letter and changes the period to a semicolon to conform to the *Guidelines*.
(A) is of great public importance~~,~~; or	Adds a colon to the end of the subdivision to conform to the *Guidelines*. Amended to end subdivision (e)(2)(A) with a semicolon instead of a comma.
(B) will have a great effect on the proper administration of justice throughout the state.	
(3) ~~A~~a certificate signed by the attorney stating:	Begins the subdivision with a lower case letter to conform to the *Guidelines*.
I express a belief, based on a reasoned and studied professional judgment, that this appeal requires immediate resolution by the supreme court and (a) is of great public importance, or (b) will have a great effect on the administration of justice throughout the state~~.~~; and	Adds the conjunctive "and" to the list.
~~/s/ _____~~ ~~Attorney for …..(name of party)…..~~ ~~…..(address and phone number)…..~~ ~~Florida Bar No. .....~~ ~~E-mail Address: ……~~	Deletes the signature block as superfluous.
(4) ~~A~~an appendix containing a conformed copy of the order to be reviewed.	
(f) Effect of Suggestion. The district court of appeal shall not be required to rule on the suggestion and neither the filing of a suggestion nor the rendition by the district court of appeal of its certificate shall alter the applicable time limitations or place of filing. If an order is rendered granting or denying	Begins the subdivision with a lower case letter to conform to the *Guidelines*. Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal.

certification, no rehearing shall be permitted. **(g) Procedure When the Supreme Court of Florida Accepts Jurisdiction.** The jurisdiction of the supreme court attaches on rendition of the order accepting jurisdiction. If the supreme court accepts jurisdiction, it shall so order and advise the parties, the clerk of the district court of appeal, and the clerk of the lower tribunal. The clerk of the court in possession of the record shall electronically transmit the record in the case to the supreme court within 10 days thereafter. The supreme court shall issue a briefing schedule and all ~~papers~~documents formerly required to be filed in the district court shall be filed in the supreme court. If the supreme court denies jurisdiction, it shall so order and advise the parties and the clerk of the district court of appeal. **Committee Notes** [No change]	Adds the article "the" before "Supreme Court." Amends the subdivision title at avoid confusion with the United States Supreme Court by adding "of Florida" to end of the title. Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal. Replaces "papers" with "documents" to conform to electronic filing. Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal.

RULE 9.130. PROCEEDINGS TO REVIEW ~~NON-FINAL~~NONFINAL ORDERS AND SPECIFIED FINAL ORDERS	Removes the hyphen from "non-final" for consistency throughout the rules set.
(a) Applicability.	
(1) This rule applies to appeals to the district courts of appeal of the ~~non-final~~nonfinal orders authorized herein and to appeals to the circuit court of ~~non-final~~nonfinal orders when provided by general law. Review of other ~~non-final~~nonfinal orders in such courts and ~~non-final~~nonfinal administrative action shall be by the method prescribed by rule 9.100.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(2) Appeals of ~~non-final~~nonfinal orders in criminal cases shall be as prescribed by rule 9.140.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(3) Appeals to the district courts of appeal of ~~non-final~~nonfinal orders are limited to those that:	Removes the hyphen from "non-final" for consistency throughout the rules set. Adds a colon at the end of the subdivision to conform to the *Guidelines*.
(A) concern venue;	
(B) grant, continue, modify, deny, or dissolve injunctions, or refuse to modify or dissolve injunctions;	
(C) determine:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(i) the jurisdiction of the person;	
(ii) the right to immediate possession of property, including but not limited to orders that	

grant, modify, dissolve, or refuse to grant, modify, or dissolve writs of replevin, garnishment, or attachment; (iii) in family law matters: a. the right to immediate monetary relief; b. the rights or obligations of a party regarding child custody or time-sharing under a parenting plan; or c. that a marital agreement is invalid in its entirety; (iv) the entitlement of a party to arbitration, or to an appraisal under an insurance policy; (v) that, as a matter of law, a party is not entitled to workers' compensation immunity; (vi) whether to certify a class; (vii) that, as a matter of law, a party is not entitled to absolute or qualified immunity in a civil rights claim arising under federal law; (viii) that a governmental entity has taken action that has inordinately burdened real property within the meaning of section 70.001(6)(a), Florida Statutes; (ix) the issue of forum non	Adds a comma after "dissolve."

conveniens; (x) that, as a matter of law, a party is not entitled to immunity under section 768.28(9), Florida Statutes;~~ or~~	Moves the semicolon and conjunctive "or" to the end of the next subdivision.
(xi) that, as a matter of law, a party is not entitled to sovereign immunity~~.~~; or	
(xii) that, as a matter of law, a settlement agreement is unenforceable, is set aside, or never existed.	Creates a new subdivision to allow for review of nonfinal orders in cases in which a party faces an order denying the existence of a settlement agreement.
(D) grant or deny the appointment of a receiver, ~~and~~or terminate or refuse to terminate a receivership~~.~~; or	Replaces "and" with "or" for greater clarity to the reader. Adds a semicolon and the conjunctive "or" to the end of the subdivision.
(E) grant or deny a motion to disqualify counsel.	Creates a new subdivision to permit review of nonfinal orders granting or denying a motion to disqualify counsel.
(4) Orders disposing of motions that suspend rendition are not reviewable separately from a review of the final order; provided that orders granting motions for new trial in jury and ~~non-jury~~nonjury cases are reviewable by the method prescribed in rule 9.110.	Removes the hyphen from "non-jury" for consistency throughout the rules set.
(5) [No change]	
(b) Commencement. [No change]	
(c) Notice. The notice, designated as a notice of appeal of ~~non-final~~nonfinal order, shall be substantially in the form prescribed by rule 9.900(c). Except in criminal cases, a conformed copy of the order or orders designated in the notice of	Removes the hyphen from "non-final" for consistency throughout the rules set.

appeal shall be attached to the notice.	
(d) Record. [No change]	
(e) Briefs. The ~~A~~appellant's initial brief, accompanied by an appendix as prescribed by rule 9.220, shall be served within 15 days of filing the notice. Additional briefs shall be served as prescribed by rule 9.210.	Adds the article "the" before "appellant."
(f) Stay of Proceedings. In the absence of a stay, during the pendency of a review of a ~~non-final~~nonfinal order, the lower tribunal may proceed with all matters, including trial or final hearing, except that the lower tribunal may not render a final order disposing of the cause pending such review absent leave of the court.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(g) Cross-Appeal. [No change]	
(h) Review on Full Appeal. This rule shall not preclude initial review of a ~~non-final~~nonfinal order on appeal from the final order in the cause.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(i) Scope of Review. Multiple ~~non-final~~nonfinal orders that are listed in rule 9.130(a)(3) may be reviewed by a single notice if the notice is timely filed as to each such order.	Removes the hyphen from "non-final" for consistency throughout the rules set.
Committee Notes	
[No change]	

RULE 9.140. APPEAL PROCEEDINGS IN CRIMINAL CASES **(a) Applicability.** [No change] **(b) Appeals by Defendant.** **(1) Appeals Permitted.** A defendant may appeal:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) a final judgment adjudicating guilt; (B) a final order withholding adjudication after a finding of guilt; (C) an order granting probation or community control, or both, whether or not guilt has been adjudicated; (D) orders entered after final judgment or finding of guilt, including orders revoking or modifying probation or community control, or both, or orders denying relief under Florida Rules of Criminal Procedure 3.800(a), 3.801, 3.802, 3.850, 3.851, or 3.853;	Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure.
(E)–(G) [No change] **(2) Guilty or Nolo Contendere Pleas.** **(A) Pleas.** A defendant may not appeal	

from a guilty or nolo contendere plea except as follows: **(i) Reservation of Right to Appeal.** [No change] **(ii) Appeals Otherwise Allowed.** A defendant who pleads guilty or nolo contendere may otherwise directly appeal only: a.–e. [No change] **(B) Record.** (i) Except for appeals under subdivision (b)(2)(A)(i) of this rule, the record for appeals involving a plea of guilty or nolo contendere shall be limited to: a. all indictments, informations, affidavits of violation of probation or community control, and other charging documents; b. the plea and sentencing hearing transcripts; c. any written plea agreements; d. any judgments, sentences, scoresheets, motions, and orders to correct or modify sentences, orders imposing, modifying, or revoking probation or community control, orders assessing costs, fees, fines, or restitution against the defendant, and any other documents	Adds a colon to the end of the subdivision to conform to the *Guidelines*.

relating to sentencing; e. any motion to withdraw plea and order thereon; and f. notice of appeal, statement of judicial acts to be reviewed, directions to the clerk, and designation to the approved court reporter or approved transcriptionist. (ii) [No change] **(3)–(4)** [No change] **(c) Appeals by the State.**	Amended to include the conjunctive "and."
(1) Appeals Permitted. The state may appeal an order:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A)–(I) [No change] (J) granting relief under Florida Rules of Criminal Procedure 3.801, 3.850, 3.851, or 3.853; (K)–(P) [No change]	Amended to make "rule" plural as it refers to multiple Florida Rules of Criminal Procedure.
(2) ~~Non-Final~~Nonfinal Orders. The state as provided by general law may appeal to the circuit court ~~non-final~~nonfinal orders rendered in the county court. **(3) Commencement.** The state shall file the notice prescribed by rule 9.110(d) with the clerk of the lower tribunal within 15 days of rendition of the order to be reviewed;	Removes the hyphen in "non-final" for consistency throughout the rules set.

provided that in an appeal by the state under rule 9.140(c)(1)(K), the state's notice of cross-appeal shall be filed within 10 days of service of defendant's notice or service of an order on a motion pursuant to Florida Rule of Criminal Procedure 3.800(b)(2). Copies shall be served on the defendant and the defendant's attorney ~~of record~~. An appeal by the state shall stay further proceedings in the lower tribunal only by order of the lower tribunal.	Amended to remove reference to "attorney of record" to avoid conflict with pending amendments to Florida Rule of Judicial Administration 2.505 that define the roles of attorneys in SC16-1062.
(d) Withdrawal of Defense Counsel after Judgment and Sentence or after Appeal by State.	
(1) The ~~attorney of record for a~~ defendant's attorney ~~in a criminal proceeding~~ shall not be relieved of any professional duties, or be permitted to withdraw as defense counsel of record, except with approval of the lower tribunal on good cause shown on written motion, until either the time has expired for filing an authorized notice of appeal and no such notice has been filed by the defendant or the state, or after the following have been completed:	Amended to remove reference to "attorney of record" to avoid conflict with pending amendments to Florida Rule of Judicial Administration 2.505 that define the roles of attorneys in SC16-1062.
(A) a notice of appeal or cross-appeal has been filed on behalf of the defendant or the state;	
(B) a statement of judicial acts to be reviewed has been filed if a transcript will require the expenditure of public funds;	
(C) the defendant's directions to the clerk have been filed, if necessary;	
(D) designations to the approved court reporter or approved transcriptionist have been filed and served	Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.

by counsel for appellant for transcripts of those portions of the proceedings necessary to support the issues on appeal or, if transcripts will require the expenditure of public funds for the defendant, of those portions of the proceedings necessary to support the statement of judicial acts to be reviewed; and (E) [No change] (2) [No change] **(e) Sentencing Errors.** [No change] **(f) Record.** **(1) Service.** [No change] **(2) Transcripts.** (A) If a defendant's designation of a transcript of proceedings requires expenditure of public funds, trial counsel for the defendant (in conjunction with appellate counsel, if possible) shall serve, within 10 days of filing the notice, a statement of judicial acts to be reviewed, and a designation to the approved court reporter or approved transcriptionist requiring preparation of only so much of the proceedings as fairly supports the issue raised. (B) Either party may file motions in the lower tribunal to reduce or expand the transcripts. (C) Except as permitted in subdivision (f)(2)(D) of this rule, the parties shall ~~designate~~serve the designation on the approved court reporter or approved	Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.

transcriptionist to file with the clerk of the lower tribunal the transcripts for the court and sufficient paper copies for all parties exempt from service by e-mail as set forth in the Florida Rules of Judicial Administration.	
(D) ~~Non-indigent~~Nonindigent defendants represented by counsel may ~~designate~~serve the designation on the approved court reporter or approved transcriptionist to prepare the transcripts. Counsel adopting this procedure shall, within 5 days of receipt of the transcripts from the approved court reporter or approved transcriptionist, file the transcripts. Counsel shall serve notice of the use of this procedure on the attorney general (or the state attorney in appeals to circuit court) and the clerk of the lower tribunal. Counsel shall attach a certificate to each transcript certifying that it is accurate and complete. When this procedure is used, the clerk of the lower tribunal upon conclusion of the appeal shall retain the transcript(s) for use as needed by the state in any collateral proceedings and shall not dispose of the transcripts without the consent of the ~~Office of the A~~attorney ~~G~~general.	Amended to remove the hyphen from "non-indigent" for consistency throughout the rules set. Additional amendments clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.
	Amended to refer to the "Office of the Attorney General" as "attorney general" to conform to the *Guidelines*.
(E) In state appeals, the state shall ~~designate~~serve a designation on the approved court reporter or approved transcriptionist to prepare and file with the clerk of the lower tribunal the transcripts and sufficient copies for all parties exempt from service by e-mail as set forth in the Florida Rules of Judicial Administration. Alternatively, the state may elect to use the procedure specified in subdivision (f)(2)(D) of this rule.	Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.
(F) The lower tribunal may by administrative order in publicly-funded cases direct the clerk of the lower tribunal rather than the approved court reporter or	Removes the hyphen in "publically-funded" for consistency throughout the rules set.

approved transcriptionist to prepare the necessary transcripts.	
(3) Retention of Documents. [No change]	
(4) Service of Copies. The clerk of the lower tribunal shall serve copies of the record to the court, attorney general (or state attorney in appeals to circuit court), and all counsel appointed to represent indigent defendants on appeal. The clerk of the lower tribunal shall simultaneously serve copies of the index to all ~~non-indigent~~nonindigent defendants and, upon their request, copies of the record or portions thereof at the cost prescribed by law.	Amended to remove the hyphen from "non-indigent" for consistency throughout the rules set.
(5) Return of Record. Except in death penalty cases, the court shall return ~~the record~~ to the lower tribunal, after final disposition of the appeal, any portions of the appellate record that were not electronically filed~~after final disposition of the appeal~~.	Amended to address portions of the record not electronically filed.
(6) Supplemental Record for Motion to Correct Sentencing Error Pursuant to Florida Rule of Criminal Procedure 3.800(b)(2).	
(A) Transmission.	Creates a subdivision title.
(i) The clerk of circuit court shall automatically supplement the appellate record with any motion pursuant to Florida Rule of Criminal Procedure 3.800(b)(2), any response, any resulting order, and any amended sentence. If a motion for rehearing is filed, the supplement shall also include the motion for rehearing, any response, and any resulting order.	Divides existing subdivision (f)(6)(A) into new subdivisions (f)(6)(A)(i)–(f)(6)(A)(iii). New subdivision (f)(6)(A)(i) is amended to detail the contents of a supplemental record. Creates new subdivision (f)(6)(A)(ii) for greater clarity to the reader.

(ii) The clerk shall electronically transmit the supplement to the appellate court within ~~5~~20 days ~~of~~after the filing of the order ~~ruling on~~disposing of the rule 3.800(b)(2) motion, unless a motion for rehearing is filed. If an order is not filed within 60 days ~~from~~after the filing of the rule 3.800(b)(2) motion, and no motion for rehearing is filed, this ~~time~~20-day period shall run from the expiration of the 60-day period, and the clerk shall include a statement in the supplement ~~the record with the motion and a statement~~ that no order on the rule 3.800(b)(2) motion was timely filed.	Subdivision (f)(6)(A)(ii) is amended to specify that the clerk shall electronically transmit the supplemental record 20 days after the filing of an order disposing of a Rule 3.800(b)(2) motion.
(iii) If a motion for rehearing is filed, the clerk shall electronically transmit the supplement to the court within 5 days after the filing of the order disposing of the motion for rehearing. If an order disposing of the motion for rehearing is not filed within 40 days after the date of the order for which rehearing is sought, this 5-day period shall run from the expiration of the 40-day period, and the clerk shall include a statement in the supplement that no order on the motion for rehearing was timely filed.	Creates subdivision (f)(6)(A)(iii) to address the transmission of the supplemental record. As proposed, the transmission of the supplemental record for a Rule 3.800 motion is tied to either the ruling on the motion or the disposition of a motion for rehearing.
(B) Transcripts. If any appellate counsel determines that a transcript of a proceeding relating to such a motion is required to review the sentencing issue, appellate counsel shall, within 5 days from the ~~transmittal~~transmission of the supplement described in subdivision (f)(6)(A)(ii), designate those portions of the proceedings not on file deemed necessary for transcription and inclusion in the record. ~~A copy of the designation shall be filed with the a~~Appellate counsel shall file the designation with the court and serve it on the approved court reporter or approved transcriptionist. The procedure for this supplementation shall be in accordance with this subdivision, except that counsel is not required to file a revised statement of	Creates a new subdivision title for subdivision (f)(6)(B). Substitutes “transmittal” with “transmission” for consistency. Amended to correctly reference subdivision (f)(6)(A)(ii). Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.

judicial acts to be reviewed, the approved court reporter or approved transcriptionist shall deliver the transcript within 15 days, and the clerk shall supplement the record with the transcript within 5 days of its receipt. **(g) Briefs.** **(1) Briefs on the ~~m~~Merits.** Initial briefs, including those filed pursuant to subdivision (g)(2)(A), shall be served within 30 days of transmission of the record or designation of appointed counsel, whichever is later. Additional briefs shall be served as prescribed by rule 9.210. **(2) Anders Briefs.** [No change] **(h) Post-Trial Release.** **(1) Appeal by Defendant.** The lower tribunal may hear a motion for post-trial release pending appeal before or after a notice of appeal is filed; provided that the defendant may not be released from custody until the notice of appeal is filed. **(2)–(4)** [No change] **(i)** [No change] **Committee Notes** [No change]	Capitalizes "merits." Amended to clarify that the notice being referenced is a notice of appeal.

RULE 9.141. REVIEW PROCEEDINGS IN COLLATERAL OR POSTCONVICTION CRIMINAL CASES	
(a) Death Penalty Cases. [No change]	
(b) Appeals from Postconviction Proceedings Under Florida Rules of Criminal Procedure 3.800(a), 3.801, 3.802, 3.850, or 3.853.	Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure.
(1) Applicability of Civil Appellate Procedures. [No change]	
(2) Summary Grant or Denial of All Claims Raised in a Motion Without Evidentiary Hearing.	
(A) Record. When a motion for postconviction relief under rules 3.800(a), 3.801, 3.802, 3.850, or 3.853 is granted or denied without an evidentiary hearing, the clerk of the lower tribunal shall electronically transmit to the court, as the record, the motion, response, reply, order on the motion, motion for rehearing, response, reply, order on the motion for rehearing, and attachments to any of the foregoing, together with the certified copy of the notice of appeal.	Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure.
(B) Index. ~~Unless directed otherwise by the court, t~~The clerk of the lower tribunal shall ~~not~~ index ~~or~~and paginate the record ~~or~~and send copies of the index ~~or~~and record to the parties.	Amended to require the indexing and pagination of summary records.

(C)–(D) [No change]	
(3) Grant or Denial of Motion after an Evidentiary Hearing was Held on ~~One~~1 or More Claims.	Amended to change "One" to "1" to conform to the *Guidelines*.
(A) Transcription. [No change]	
(B) Record.	
(i) When a motion for postconviction relief under rules 3.801, 3.802, 3.850, or 3.853 is granted or denied after an evidentiary hearing, the clerk of the lower tribunal shall index, paginate, and electronically transmit to the court as the record, within 50 days of the filing of the notice of appeal, the notice of appeal, motion, response, reply, order on the motion, motion for rehearing, response, reply, order on the motion for rehearing, and attachments to any of the foregoing, as well as the transcript of the evidentiary hearing.	Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure.
(ii) Within 10 days of filing the notice of appeal, the ~~A~~appellant may direct the clerk to include in the record any other documents that were before the lower tribunal at the hearing. ~~If the clerk is directed to include in the record a previously prepared appellate record involving the appellant, the clerk need not reindex or repaginate it.~~	Amended to allow the appellant 10 days to provide any directions to the clerk regarding additional documents prior to the record being transmitted. NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.
(iii) [No change]	
(C) Briefs. [No change]	
(c) Petitions Seeking Belated Appeal or Belated Discretionary Review.	

(1)–(3) [No change] **(4) Contents.** The petition shall be in the form prescribed by rule 9.100, may include supporting documents, and shall recite in the statement of facts: (A) the date and nature of the lower tribunal's order sought to be reviewed; (B) the name of the lower tribunal rendering the order; (C) the nature, disposition, and dates of all previous court proceedings; (D) if a previous petition was filed, the reason the claim in the present petition was not raised previously; (E) the nature of the relief sought; and (F) the specific acts sworn to by the petitioner or petitioner's counsel that constitute the basis for entitlement to belated appeal or belated discretionary review, as outlined below:	Amended to add a colon to the end of the subdivision to conform to the *Guidelines*.
(i) ~~A~~a petition seeking belated appeal must state whether the petitioner requested counsel to proceed with the appeal and the date of any such request, or if the petitioner was misadvised as to the availability of appellate review or the status of filing a notice of appeal. A petition seeking belated discretionary review must state whether counsel advised the petitioner of the results of the appeal and the date of any such notification, or if counsel misadvised the petitioner as to the	Begins the subdivision with a lower case and ends the subdivision with a semicolon instead of a period to conform to the *Guidelines*.

opportunity for seeking discretionary review~~,~~; or (ii) ~~A~~a petition seeking belated appeal or belated discretionary review must identify the circumstances unrelated to counsel's action or inaction, including names of individuals involved and date(s) of the occurrence(s), that were beyond the petitioner's control and otherwise interfered with the petitioner's ability to file a timely appeal or notice to invoke, as applicable. **(5) Time Limits.** [No change] **(6) Procedure.** (A) The petitioner shall serve a copy of a petition for belated appeal on the attorney general and state attorney. The petitioner shall serve a copy of a petition for belated discretionary review on the attorney general. (B) The court may by order identify any provision of this rule that the petition fails to satisfy and, pursuant to rule 9.040(d), allow the petitioner a specified time to serve an amended petition. (C) The court may dismiss a second or successive petition if it does not allege new grounds and the prior determination was on the merits, or if a failure to assert the grounds was an abuse of procedure. (D) An order granting a petition for belated appeal shall be filed with the lower tribunal and treated as the notice of appeal, if no previous notice has been filed. An order granting a petition for belated discretionary review or belated	Begins the subdivision with a lower case letter to conform to the *Guidelines*.

appeal of a decision of a district court of appeal shall be filed with the district court of appeal and treated as a notice to invoke discretionary jurisdiction or notice of appeal, if no previous notice has been filed. **(d) Petitions Alleging Ineffective Assistance of Appellate Counsel.** **(1)–(3)** [No change] **(4) Contents.** The petition shall be in the form prescribed by rule 9.100, may include supporting documents, and shall recite in the statement of facts: (A)–(F) [No change] **(5)–(6)** [No change] **Committee Notes** [No change]	Adds "of appeal" to correctly identify the court being referenced as the District Court of Appeal. Amended to add a colon to the end of the subdivision to conform to the *Guidelines*.

RULE 9.142. PROCEDURE FOR REVIEW IN DEATH PENALTY CASES **(a) Procedure in Death Penalty Appeals.** **(1) Record.** (A) When the notice of appeal is filed in the supreme court, the chief justice will direct the appropriate chief judge of the circuit court to monitor the preparation of the complete record for timely filing in the supreme court. Transcripts of all proceedings conducted in the lower tribunal shall be included in the record under these rules. (B) The complete record in a death penalty appeal shall include all items required by rule 9.200 and by any order issued by the supreme court. In any appeal following the initial direct appeal, the record that is electronically transmitted shall begin with the most recent mandate issued by the supreme court, or the most recent filing not already electronically transmitted in a prior record in the event the preceding appeal was disposed of without a mandate, and shall exclude any materials already transmitted to the supreme court as the record in any prior appeal. The clerk of the lower tribunal shall retain a copy of the complete record when it transmits the record to the ~~S~~supreme ~~C~~court. (C) [No change] **(2) Briefs; Transcripts.** After the record is filed, the clerk will promptly establish a briefing schedule	Amends the subdivision to begin "Supreme Court" with lower case letters to conform to the *Guidelines*.

allowing the defendant 60 days from the date the record is filed, the state 45 days from the date the defendant's brief is served, and the defendant 30 days from the date the state's brief is served to serve their respective briefs. On appeals from orders ruling on applications for relief under Florida Rules of Criminal Procedure 3.851 or 3.853, and on resentencing matters, the schedules set forth in rule 9.140(g) will control.	Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure.
(3) Sanctions. If any brief is delinquent, an order to show cause may be issued under Florida Rule of Criminal Procedure 3.840, and sanctions may be imposed.	Amended for grammatical purposes from "may issue" to "may be issued."
(4)–(5) [No change]	
(b) Petitions for Extraordinary Relief.	
(1) Treatment as Original Proceedings. [No change]	
(2) Contents. Any petition filed pursuant to this subdivision shall be in the form prescribed by rule 9.100, may include supporting documents, and shall recite in the statement of facts:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) the date and nature of the lower tribunal's order sought to be reviewed;	
(B) the name of the lower tribunal rendering the order;	
(C) the nature, disposition, and dates of all previous court proceedings;	

(D) if a previous petition was filed, the reason the claim in the present petition was not raised previously; and	Amended to include the conjunctive "and."
(E) the nature of the relief sought.	
(3) Petitions Seeking Belated Appeal.	
(A) Contents. A petition for belated appeal shall include a detailed allegation of the specific acts sworn to by the petitioner or petitioner's counsel that constitute the basis for entitlement to belated appeal, including whether the petitioner requested counsel to proceed with the appeal and the date of any such request, whether counsel misadvised the petitioner as to the availability of appellate review or the filing of the notice of appeal, or whether there were circumstances unrelated to counsel's action or inaction, including names of individuals involved and date(s) of the occurrence(s), that were beyond the petitioner's control and otherwise interfered with the petitioner's ability to file a timely appeal.	Amended to include the article "the" before "petitioner" for ease of the reader.
(B) Time limits. A petition for belated appeal shall not be filed more than 1 year after the expiration of time for filing the notice of appeal from a final order denying rule 3.851 relief, unless it alleges under oath with a specific factual basis that the petitioner:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(i) was unaware an appeal had not been timely filed, was not advised of the right to an appeal, was misadvised as to the right to an appeal, or was prevented from timely filing a notice of appeal due to circumstances beyond the petitioner's control; and	

(ii) could not have ascertained such facts by the exercise of due diligence. In no case shall a petition for belated appeal be filed more than 2 years after the expiration of time for filing the notice of appeal. **(4) Petitions Alleging Ineffective Assistance of Appellate Counsel.** [No change] **(c) Petitions Seeking Review of Nonfinal Orders in Death Penalty Postconviction Proceedings.** **(1)–(3)** [No change] **(4) Contents.** The petition shall be in the form prescribed by rule 9.100, and shall contain: (A)–(G) [No change] **(5)–(10)** [No change] **(11) Time Limitations.** Seeking review under this rule shall not extend the time limitations in rules 3.851 or 3.852. **(d) Review of Dismissal of ~~Post-Conviction~~Postconviction Proceedings and Discharge of Counsel in Florida Rule of Criminal Procedure 3.851(i) Cases.** **(1) Applicability.** [No change] **(2) Procedure Following Rendition of Order**	Adds a colon to the end of the subdivision to conform to the *Guidelines*. Amended to make "rule" plural as the subdivision refers to multiple Florida Rules of Criminal Procedure. Amended to remove the hyphen from "post-conviction" for consistency throughout the rules set.

of Dismissal and Discharge. **(A) Notice to Lower Tribunal.** Within 10 days of the rendition of an order granting a prisoner's motion to discharge counsel and dismiss the motion for ~~post-conviction~~postconviction relief, discharged counsel shall file with the clerk of the circuit court a notice of appeal seeking review in the supreme court.	Amended to remove the hyphen from "post-conviction" for consistency throughout the rules set. Adds "of appeal" to clarify the type of notice being referenced.
(B)–(C) [No change]	
(D) Proceedings in the Supreme Court of Florida. Within 20 days of the filing of the record in the supreme court, discharged counsel shall serve an initial brief. Both the state and the prisoner may serve responsive briefs. All briefs must be served and filed as prescribed by rule 9.210.	Amends the subdivision title to add "the" before "Supreme Court" and "of Florida" after so avoid confusion with the United States Supreme Court.
Committee Notes [No change]	

RULE 9.145. APPEAL PROCEEDINGS IN JUVENILE DELINQUENCY CASES	
(a) Applicability. [No change]	
(b) Appeals by Child. To the extent adversely affected, a child or any parent, legal guardian, or custodian of a child may appeal:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(1)–(4) [No change]	
(c) Appeals by the State.	
(1) Appeals Permitted. The state may appeal an order:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A)–(I) [No change]	
(2) ~~Non-Final~~Nonfinal State Appeals. If the state appeals a pre-adjudicatory hearing order of the trial court, the notice of appeal must be filed within 15 days of rendition of the order to be reviewed and before commencement of the adjudicatory hearing.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(A)–(B) [No change]	
(d) References to Child. The appeal shall be entitled and docketed with the initials, but not the name, of the child and the court case number. All references to the child in briefs, other ~~papers~~documents, and the decision of the court shall be by initials.	Amended to replace "papers" with "documents" to conform with electronic filing

(e) Confidentiality. [No change] **Committee Notes** [No change]	

RULE 9.146. APPEAL PROCEEDINGS IN JUVENILE DEPENDENCY AND TERMINATION OF PARENTAL RIGHTS CASES AND CASES INVOLVING FAMILIES AND CHILDREN IN NEED OF SERVICES **(a)–(b)** [No change] **(c) Stay of Proceedings.** **(1) Application.** Except as provided by general law and in subdivision (c)(2) of this rule, a party seeking to stay a final or ~~non-final~~nonfinal order pending review shall file a motion in the lower tribunal, which shall have continuing jurisdiction, in its discretion, to grant, modify, or deny such relief, after considering the welfare and best interest of the child.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(2) Termination of Parental Rights. [No change] **(3) Review.** Review of orders entered by lower tribunals under this rule shall be by the court on motion.	Creates new subdivision (c)(3) to address how a party seeks review of an order.
(d)–(f) [No change] **(g) Special Procedures and Time Limitations Applicable to Appeals of Final Orders in Dependency or Termination of Parental Rights Proceedings.**	

(1) Applicability. [No change] **(2) The Record.** **(A)–(B)** [No change] **(C) Directions to the Clerk, Duties of the Clerk, Preparation and ~~Transmittal~~Transmission of the Record.** The appellant shall file directions to the clerk with the notice of appeal. The clerk shall electronically transmit the record to the court within 5 days of the date the court reporter files the transcript(s) or, if a designation to the court reporter has not been filed, within 5 days of the filing of the notice of appeal. When the record is electronically transmitted to the court, the clerk shall simultaneously electronically transmit the record to the Department of Children and Families, the guardian ad litem, counsel appointed to represent any indigent parties, and shall simultaneously serve copies of the index to all ~~non-indigent~~nonindigent parties, and, upon their request, copies of the record or portions thereof. The clerk shall provide the record in paper format to all parties exempt from electronic service ~~by e-mail~~ as set forth in the Florida Rules of Judicial Administration.	Replaces "transmittal" with "transmission for consistency. Removes hyphen from "non-indigent" for consistency throughout the rules set. Amended to change "form" to "format." Changes "e-mail" to "electronic service" to encompass service through the Florida Courts E-filing Portal.
(3) Briefs. **(A) In General.** [No change] **(B) Times for Service.** The initial brief shall be served within 20 days of service of the record on appeal or the index to the record on appeal. The answer brief shall be served within 20 days of service of the initial brief. The reply brief, if any, shall be served within 10 days of the service of the answer brief. If more than 1 initial or answer brief is served, the	Amends subdivision (g)(3)(B) to address a situation in

responsive brief shall be served within 20 days after the last initial brief or within 10 days after the last answer brief was served or could have been timely served, whichever is later. **(4) Motions.** **(A) Motions for Appointment of Appellate Counsel; Authorization of Payment of Transcription Costs.** [No change] **(B) Motions to Withdrawal as Counsel.** If appellate counsel seeks leave to withdraw from representation of an indigent parent, the motion to withdraw shall be served on the parent and shall contain a certification that, after a conscientious review of the record, the attorney has determined in good faith that there are no meritorious grounds on which to base an appeal. The parent shall be permitted to file a brief pro se, or through subsequently retained counsel, within 20 days of the issuance of an order granting the motion to withdraw. Within 5 days of the issuance of an order granting the motion to withdraw, appellate counsel shall file a notice with the court certifying that counsel has forwarded a copy of the record and the transcript(s) of the proceedings to the parent or that counsel is unable to forward a copy of the record and the transcript(s) of the proceedings because counsel cannot locate the parent after making diligent efforts. **(C) Motions for Extensions of Time.** [No change] **(5)–(7)** [No change]	which more than one initial or answer brief is served. Requires the record on appeal and transcript to be forwarded to the parent(s) after a motion to withdraw is granted.

(h) Expedited Review. [No change] **(i) Ineffective Assistance of Counsel for Parents' Claims—Special Procedures and Time Limitations Applicable to Appeals of Orders in Termination of Parental Rights Proceedings Involving Ineffective Assistance of [Court-Appointed] Counsel Claims.** **(1) Applicability.** Subdivision (i) applies only to appeals to the district courts of appeal of orders in termination of parental rights proceedings involving a parent's claims of ineffective assistance of [court-appointed] counsel. **(2) Rendition.** A motion claiming ineffective assistance of [court-appointed] counsel filed in accordance with Florida Rule of Juvenile Procedure 8.530 shall toll rendition of the order terminating parental rights under Florida Rule of Appellate Procedure 9.020 until the lower tribunal files a signed, written order on the motion. **(3) Scope of Review.** Any appeal from an order denying a motion alleging the ineffective assistance of [court-appointed] counsel must be raised and addressed within an appeal from the order terminating parental rights. **(4) Ineffective Assistance of Counsel Motion Filed After Commencement of Appeal.** If an appeal is pending, a parent may file a motion claiming ineffective assistance of [court-appointed] counsel pursuant to Florida Rule of Juvenile Procedure 8.530 if the filing occurs within 20 days of rendition of the order terminating parental rights. **(A) Stay of Appellate Proceeding.** A	The amendments in double underline are pending before the Court in *In Re: Amendments To Florida Rules Of Juvenile Procedure And Florida Rule Of Appellate Procedure 9.146*, in SC16-553.

parent or counsel appointed pursuant to Florida Rule of Juvenile Procedure 8.530 shall file a notice of a timely-filed, pending motion claiming ineffective assistance of [court-appointed] counsel. The notice automatically stays the appeal until the lower tribunal renders an order disposing of the motion. **(B) Supplemental Record; Transcripts of Proceedings.** The appellant shall file a second designation to the court reporter, including the name(s) of the individual court reporter(s). The appellant shall serve the designation on the court reporter on the date of filing and shall state that the appeal is from an order of termination of parental rights, and that the court reporter shall provide the transcript of the hearing on the motion claiming ineffective assistance of [court-appointed] counsel within 20 days of the date of service. Within 20 days of the date of service of the designation, the court reporter shall transcribe and file with the clerk of the lower tribunal the transcript and sufficient copies for all parties exempt from service by e-mail as set forth in the Florida Rules of Judicial Administration. If extraordinary reasons prevent the reporter from preparing the transcript within the 20 days, the reporter shall request an extension of time, state the number of additional days requested, and state the extraordinary reasons that would justify the extension. **(C) Duties of the Clerk, Preparation and Transmittal of Supplemental Record.** If the clerk of circuit court has already transmitted the record on appeal of the order terminating parental rights, the clerk shall automatically supplement the record on appeal with any motion pursuant to Florida Rule of Juvenile Procedure 8.530, the resulting order, and the transcript from the hearing on the motion. The clerk shall electronically transmit the supplement to the court and serve the	

parties within 5 days of the filing of the order ruling on the motion, or within 5 days of filing of the transcript from the hearing on the motion by the designated court reporter, whichever is later. **Committee Notes** [No change]	

RULE 9.150. DISCRETIONARY PROCEEDINGS TO REVIEW CERTIFIED QUESTIONS FROM FEDERAL COURTS **(a) Applicability.** On either its own motion or that of a party, the Supreme Court of the United States or a United States court of appeals may certify ~~one~~1 or more questions of law to the Supreme Court of Florida if the answer is determinative of the cause and there is no controlling precedent of the Supreme Court of Florida. **(b)–(e)** [No change] **Committee Notes** [No change]	Editorial amendment to change "one" to "1" to conform to the *Guidelines*.

RULE 9.160. DISCRETIONARY PROCEEDINGS TO REVIEW DECISIONS OF COUNTY COURTS	
(a)–(b) [No change]	
(c) Notice. The notice shall be in substantially the form prescribed by rule 9.900(a) or rule 9.900(c), depending on whether the order sought to be appealed is a final or a ~~non-final~~nonfinal order, except that such notice should refer to the fact of certification. Except in criminal cases, a conformed copy of the order or orders designated in the notice of appeal shall be attached to the notice together with any order entered on a timely motion postponing rendition of the order or orders appealed.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(d) Method of Certification. The certification may be made in the order subject to appeal or in any order disposing of a motion that has postponed rendition as defined in rule 9.020(h). The certification shall include:	Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(1)____findings of fact and conclusions of law; and (2)____a concise statement of the issue or issues of great public importance.	Separates out subdivisions (d)(1) and (d)(2) instead of leaving them in a sentence. Adds a semicolon to the end of subdivision (d)(1) to conform to the *Guidelines*.
(e) Discretion. [No change]	
(f) Scope of Review.	
(1) If the district court of appeal accepts the appeal, it will decide all issues that would have been subject to	

appeal if the appeal had been taken to the circuit court. (2) If the district court of appeal declines to accept the appeal, it shall transfer the case together with the filing fee to the circuit court that has appellate jurisdiction. **(g) Record.** The record shall be prepared and ~~filed~~transmitted in accord with rule 9.110(e) or 9.140(f), depending on the nature of the appeal. **(h)–(j)** [No change] **Committee Notes** [No change]	Amended to clarify that the court being referenced is the District Court of Appeal. NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

RULE 9.170. APPEAL PROCEEDINGS IN PROBATE AND GUARDIANSHIP CASES	
(a) Applicability. [No change]	
(b) Appealable Orders. Except for proceedings under rule 9.100 and rule 9.130(a), appeals of orders rendered in probate and guardianship cases shall be limited to orders that finally determine a right or obligation of an interested person as defined in the Florida Probate Code. Orders that finally determine a right or obligation include, but are not limited to, orders that:	
(1)–(23) [No change]	
(24) approve a settlement agreement on any of the matters listed above in (b)(1)–(b)(23) or authorizing a compromise pursuant to section 733.708, Florida Statutes.	Amended to correctly reference subdivisions (b)(1)–(b)(23).
(c) Record; Alternative Appendix. An appeal under this rule may proceed on a record prepared by the clerk of the lower tribunal or on appendices to the briefs, as elected by the parties within the time frames set forth in rule 9.200(a)(~~3~~2) for designating the record. The clerk of the lower tribunal shall prepare a record on appeal in accordance with rule 9.200 unless the appellant directs that no record shall be prepared; a copy of such direction shall be served on the court when it is served on the clerk of the lower tribunal. However, any other party may direct the clerk to prepare a record in accordance with rule 9.200; a copy of such direction shall be served on the court when it is served on the clerk of the lower tribunal. If no record is prepared	Amended to address an incorrect subdivision reference. Amended to require notice to the clerk if appendices are going to be filed instead of the record on appeal. Requires a copy of the directions be served on the court in addition to the clerk.

under this rule, the appeal shall proceed using appendices pursuant to rule 9.220. **(d)–(e)** [No change]	

RULE 9.180. APPEAL PROCEEDINGS TO REVIEW WORKERS' COMPENSATION CASES **(a) Applicability.** [No change] **(b) Jurisdiction.** **(1) Appeal.** The First District Court of Appeal (the court) shall review by appeal any final order, as well as any nonfinal order of a lower tribunal that adjudicates: (A)–(C) [No change] **(2) Waiver of Review~~:~~; Abbreviated Final Orders.** Unless a request for findings of fact and conclusions of law is timely filed, review by appeal of an abbreviated final order shall be deemed waived. The filing of a timely request tolls the time within which an abbreviated final order becomes final or an appeal may be filed. **(3)–(4)** [No change] **(c) Jurisdiction of Lower Tribunal.** **(1) Substantive Issues.** [No change] **(2) Settlement.** At any time before the record on appeal is ~~filed~~transmitted ~~with~~to the court, the lower tribunal shall have the authority to approve settlements or correct clerical errors in the order appealed. **(3) Relinquishment of Jurisdiction by Court**	Adds a colon to the end of the subdivision to conform to the *Guidelines*. Deletes the colon in the subdivision title and replaces it with a semicolon for consistency throughout the rules set. NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

to Consider Settlement. If, after the record on appeal is ~~filed~~transmitted, settlement is reached, the parties shall file a joint motion stating that a settlement has been reached and requesting relinquishment of jurisdiction to the lower tribunal for any necessary approval of the settlement. The court may relinquish jurisdiction for a specified period for entry of an appropriate order. In the event the Division of Workers' Compensation has advanced the costs of preparing the record on appeal or the filing fee, a copy of the joint motion shall be furnished to the division by the appellant. **(A)–(B)** [No change] **(d) Benefits Affected.** [No change] **(e) Intervention by Division of Workers' Compensation.** **(1) District Court of Appeal.** Within 30 days of the date of filing a notice or petition invoking the jurisdiction of the court the Division of Workers' Compensation may intervene by filing a notice of intervention as a party appellant/petitioner or appellee/respondent with the court and take positions on any relevant matters. **(2) Supreme Court of Florida.** If review of an order of the court is sought in the supreme court, the division may intervene in accordance with these rules. The clerk of the supreme court shall provide a copy of the pertinent documents to the division. **(3) Division Not a Party Until Notice to**	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377. Amends the subdivision title to clarify that the court being referenced is the District Court of Appeal. Amends the subdivision title to clarify that the Court being referenced is the Supreme Court of Florida and to avoid confusion with the United States Supreme Court.

Intervene Is Filed. [No change].	
(f) Record Contents~~:~~; Final Orders.	Deletes the colon in the subdivision title and replaces it with a semicolon for consistency throughout the rules set.
(1) Transcript~~,~~; Order~~,~~; ~~and~~ Other Documents. The record shall contain the claim(s) or petition(s) for benefits, notice(s) of denial, pretrial stipulation, pretrial order, trial memoranda, depositions or exhibits admitted into evidence, any motion for rehearing and response, order on motion for rehearing, transcripts of any hearings before the lower tribunal, and the order appealed. The parties may designate other items for inclusion in or omission from the record in accordance with rule 9.200.	Deletes the colon as well as "and" in the subdivision title and replaces them with semicolons for consistency throughout the rules set. Adds a comma after "tribunal" for consistency.
(2) Proffered Evidence. [No change]	
(3) Certification; ~~and~~ ~~Transmittal~~Transmission. The lower tribunal shall certify and transmit the record to the court as prescribed by these rules.	Deletes "and" in the subdivision title and replaces it with a semicolon for consistency throughout the rules set. Amends the subdivision title to use "Transmission" instead of "Transmittal" for consistency throughout the rules set.
(4) Stipulated Record. [No change]	
(5) Costs.	
(A)–(C) [No change]	
(D) State Agencies~~:~~; Waiver of Costs. Any self-insured state agency or branch of state government, including the Division of Workers' Compensation and the Special Disability Trust Fund, need not deposit the estimated costs.	Deletes the colon in the subdivision title and replaces it with a semicolon for consistency throughout the rules set.
(E) Costs. If additional costs are incurred in correcting, amending, or supplementing the record,	

the lower tribunal shall assess such costs against the appropriate party. If the Division of Workers' Compensation is obligated to pay the costs of the appeal due to the appellant's indigency, it must be given notice of any proceeding to assess additional costs. Within 15 days after the entry of the order assessing costs, the assessed party must deposit the sums so ordered with the lower tribunal. The lower tribunal shall promptly notify the court if costs are not deposited as required.	Amended to add the article "the" before "appellant's."
(6) Transcript(s) of Proceedings.	
(A) Selection of Approved Court Reporter by Lower Tribunal. The deputy chief judge of compensation claims shall select ~~the~~an approved court reporter or ~~transcriber~~an approved transcriptionist to transcribe any hearing(s). The deputy chief judge who makes the selection shall give the parties notice of the selection.	Amends the subdivision title to add "Approved Court" for consistency when referring to court reporters. Amends the subdivision to refer to "an approved court reporter or an approved transcriptionist" for consistency throughout the rules set.
(B) Objection to Court Reporter or ~~Transcriber~~Transcriptionist Selected. Any party may object to the court reporter or ~~transcriber~~transcriptionist selected by filing written objections with the judge who made the selection within 15 days after service of notice of the selection. Within 5 days after filing the objection, the judge shall hold a hearing on the issue. In such a case, the time limits mandated by these rules shall be appropriately extended.	Amended to refer, consistently, to "court reporter" and "transcriptionist."
(C) Certification of Transcript by Court Reporter or ~~Transcriber~~Transcriptionist. The court reporter or ~~transcriber designated~~transcriptionist selected by the deputy chief judge of compensation claims shall certify and deliver an electronic version of the transcript(s) to the clerk of the office of the judges of compensation claims. The transcript(s)	Amended to refer, consistently, to "court reporter" and "transcriptionist."

shall be delivered in sufficient time for the clerk of the office of the judges of compensation claims to incorporate transcript(s) in the record. The court reporter or ~~transcriber~~transcriptionist shall promptly notify all parties in writing when the transcript(s) is delivered to the clerk of the office of the judges of compensation claims.	Amended to refer, consistently, to "court reporter" and "transcriptionist."
(7) Preparation~~,~~; Certification~~,~~; ~~and Transmittal~~Transmission of the Record. The deputy chief judge of compensation claims shall designate the person to prepare the record. The clerk of the office of the judges of compensation claims shall supervise the preparation of the record. The record shall be ~~delivered~~transmitted to the lower tribunal in sufficient time for the lower tribunal to review the record and ~~send~~transmit it to the court. The lower tribunal shall review the original record, certify that it was prepared in accordance with these rules, and within 60 days of the notice of appeal being filed transmit the record to the court. The lower tribunal shall provide an electronic image copy of the record to all counsel of record and all unrepresented parties.	Deletes the colon and replaces it with a semicolon for consistency throughout the rules set. NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.
(8)–(9) [No change]	
(g) Relief From Filing Fee and Costs~~:~~; Indigency.	Deletes the colon and replaces it with a semicolon for consistency throughout the rules set.
(1) Indigency Defined. [No change]	
(2) Filing Fee.	
(A)–(B) [No change]	
(C) Verified Petition~~:~~; Contents. The verified petition or motion shall contain a statement by the	Deletes the colon and replaces it with a semicolon for

appellant to be relieved of paying filing fees due to indigency and the appellant's inability to pay the charges. The petition shall request that the lower tribunal enter an order or certificate of indigency. One of the following shall also be filed in support of the verified petition or motion: (i) If the appellant is unrepresented by counsel, a financial affidavit; or (ii) If the appellant is represented by counsel, counsel shall certify that counsel has investigated (a) the appellant's financial condition and finds the appellant indigent; and (b) the nature of appellant's position and believes it to be meritorious as a matter of law. Counsel shall also certify that counsel has not been paid or promised payment of a fee or other remuneration for such legal services except for the amount, if any, ultimately approved by the lower tribunal to be paid by the employer/carrier if such entitlement is determined by the court.	consistency throughout the rules set. Adds the article "the" before "appellant" for ease of the reader.
(D) Service. The ~~A~~appellant shall serve a copy of the verified petition or motion of indigency, including the appellant's financial affidavit or counsel's certificate, whichever is applicable, on all interested parties and the clerk of the court.	Adds the article "the" before "appellant" for ease of the reader.
(E) Order or Certificate of Indigency. The lower tribunal shall review the verified petition or motion for indigency and supporting documents without a hearing, and if the lower tribunal finds compliance with section 57.081(1), Florida Statutes, may issue a certificate of indigency or enter an order granting said relief, at which time the appellant may proceed without further application to the court and without payment of	Adds the article "the" before "appellant" for ease of the reader in the first and second sentences of the subdivision.

any filing fees. If the lower tribunal enters an order denying relief, the appellant shall deposit the filing fee with the lower tribunal within 15 days from the date of the order unless timely review is sought by motion filed with the court.	
(3) Costs of Preparation of Record.	
(A) Authority. An appellant may be relieved in whole or in part from the costs of the preparation of the record on appeal by filing with the lower tribunal a verified petition to be relieved of costs and a copy of the designation of the record on appeal. The verified petition to be relieved of costs shall contain a sworn financial affidavit as described in subdivision (g)(3)(D).	Amended to correctly refer to subdivision (g)(3)(D).
(B) Time. [No change]	
(C) Verified Petition~~:~~; Contents. The verified petition shall contain a request by the appellant to be relieved of costs due to insolvency. The petition also shall include a statement by the appellant's attorney or the appellant, if not represented by an attorney, that the appeal was filed in good faith and the court reasonably could find reversible error in the record and shall state with particularity the specific legal and factual grounds for that opinion.	Deletes the colon and replaces it with a semicolon for consistency throughout the rules set. Adds the article "the" before "appellant" for ease of the reader.
(D) Sworn Financial Affidavit~~:~~; Contents. With the verified petition to be relieved of costs, the appellant shall file a sworn financial affidavit listing income and assets, including marital income and assets, and expenses and liabilities.	Deletes the colon and replaces it with a semicolon for consistency throughout the rules set.
(E) Verified Petition and Sworn	

Financial Affidavit~~:~~; Service. The appellant shall serve a copy of the verified petition to be relieved of costs, including the sworn financial affidavit, on all interested parties, including the Division of Workers' Compensation, the office of general counsel of the Department of Financial Services, and the clerk of the court. **(F)–(I)** [No change] **(h) Briefs and Motions Directed to Briefs.** **(1) Briefs~~:~~; Final Order Appeals.** Within 30 days after the lower tribunal certifies the record to the court, the appellant shall serve the initial brief. Additional briefs shall be served as prescribed by rule 9.210. **(2) Briefs~~:~~; ~~Non-Final~~Nonfinal Appeals.** The ~~A~~appellant's initial brief, accompanied by an appendix as prescribed by rule 9.220, shall be served within 15 days of filing the notice. Additional briefs shall be served as prescribed by rule 9.210. **(3) Motions to Strike.** [No change] **(i) Attorneys' Fees and Appellate Costs.** **(1) Costs.** Appellate costs shall be taxed as provided by law. Taxable costs shall include those items listed in rule 9.400 and costs for a transcript included in an appendix as part of an appeal of a nonfinal order. **(2) Attorneys' Fees.** A motion for attorneys' fees shall be served in accordance with rule 9.400(b).	Deletes the colon and replaces it with a semicolon for consistency throughout the rules set. Deletes the colon and replaces it with a semicolon for consistency throughout the rules set. Deletes the colon and replaces it with a semicolon for consistency throughout the rules set. Removes the hyphen from "non-final" for consistency throughout the rules set. Adds the article "the" before "appellant" for ease of the reader.

(3) Entitlement and Amount of Fees and Costs. If the court determines that an appellate fee is due, the lower tribunal shall have jurisdiction to conduct hearings and consider evidence regarding the amount of the attorneys' fee and costs due at any time after the mandate is issued. **(4) Review.** [No change] **Committee Notes** [No change]	Adds "s'" to "attorney fees" for consistency throughout the rule set.

RULE 9.190. JUDICIAL REVIEW OF ADMINISTRATIVE ACTION **(a) Applicability.** [No change] **(b) Commencement.** (1) [No change] (2) Review of ~~non-final~~nonfinal agency action under the Administrative Procedure Act, including ~~non-final~~nonfinal action by an administrative law judge, and agency orders entered pursuant to section 120.60(6), Florida Statutes, shall be commenced by filing a petition for review in accordance with rules 9.100(b) and (c). (3) [No change] **(c) The Record.** **(1) Generally.** [No change] **(2) Review of Final Action Pursuant to the Administrative Procedure Act.** **(A) <u>Proceedings Involving Disputed Issues of Material Fact.</u>** In an appeal from any proceeding conducted pursuant to ~~section 120.56 (rule challenges) or~~ sections 120.569 ~~(decisions which affect substantial interests)~~ and 120.57(1), Florida Statutes ~~(decisions which affect substantial interests involving disputed material facts)~~, the record shall	Removes the hyphen from "non-final" for consistency throughout the rules set. Amended to include a subdivision title. Deletes unnecessary reference to section 120.56, Florida Statutes. Deletes language in parentheticals that describe the statutes.

consist of all notices, pleadings, motions, and intermediate rulings; evidence admitted; those matters officially recognized; proffers of proof and objections and rulings thereon; proposed findings and exceptions; any decision, opinion, order, or report by the presiding officer; all staff memoranda or data submitted to the presiding officer during the hearing or prior to its disposition, after notice of submission to all parties, except communications by advisory staff as permitted under section 120.66(1), Florida Statutes, if such communications are public records; all matters placed on the record after an ex parte communication; and the official transcript.	
(B) <u>Proceedings Not Involving Disputed Issues of Material Fact.</u> In an appeal from any proceeding pursuant to sections 120.569 ~~(decisions which affect substantial interests)~~ and 120.57(2), Florida Statutes ~~(decisions which affect substantial interests involving no disputed issue of material fact)~~, the record shall consist of the notice and summary of grounds; evidence received; all written statements submitted; any decisions overruling objections; all matters placed on the record after an ex parte communication; the official transcript; and any decision, opinion, order, or report by the presiding officer.	Amended to include a subdivision title. Deletes language in parentheticals that describe the statutes.
(C) <u>Declaratory Statements.</u> In an appeal from any proceeding pursuant to section 120.565, Florida Statutes ~~(declaratory statements)~~, the record shall consist of the petition seeking a declaratory statement and any pleadings filed with the agency; all notices relating to the petition published in the Florida Administrative ~~Weekly~~<u>Register</u>; the declaratory statement issued by the agency or the agency's denial of the petition; and all matters listed in subdivision (c)(2)(A) or (c)(2)(B) of this rule, whichever is appropriate, if a hearing is held	Amended to include a subdivision title. Updates the reference to the Florida Administrative Register.

on the declaratory statement petition.	
(D) Summary Hearings. In an appeal from any proceeding pursuant to section 120.574, Florida Statutes- ~~(summary proceeding)~~, the record shall consist of all notices, pleadings, motions, and intermediate rulings; evidence received; a statement of matters officially recognized; proffers of proof and objections and rulings thereon; matters placed on the record after an ex parte communication; the written decision of the administrative law judge presiding at the final hearing; and the official transcript of the final hearing.	Amended to include a subdivision title. Deletes language in parentheticals that describe the statutes.
(E) Challenges to Rules.	
(i) In an appeal from any proceeding conducted pursuant to section 120.56, Florida Statutes, the record shall consist of all notices, pleadings, motions, and intermediate rulings; evidence admitted; those matters officially recognized; proffers of proof and objections and rulings thereon; proposed findings and exceptions; any decision, opinion, order, or report by the presiding officer; all staff memoranda or data submitted to the presiding officer during the hearing or prior to its disposition, after notice of submission to all parties, except communications by advisory staff as permitted under section 120.66(1), Florida Statutes, if such communications are public records; all matters placed on the record after an ex parte communication; and the official transcript.	Amended to include a subdivision title. Divides subdivision (c)(2)(E) into new subdivisions (c)(2)(E)(i) and (c)(2)(E)(ii). New subdivision (c)(2)(E)(i) describes what should be included in the record on appeal for proceedings held pursuant to section 120.56, Florida Statutes, "Challenge to the Rules." This is not addressed in existing subdivision (c)(2)(E).
(ii) In an appeal from a rule adoption pursuant to sections 120.54 ~~(rule adoption) and~~or 120.68(9), Florida Statutes, in which the sole issue presented by the petition is the constitutionality of a rule and there are no disputed issues of fact, the record shall consist only of those	New subdivision (c)(2)(E)(ii) contains the language from existing subdivision (c)(2)(E). Additional amendments include deleting the parenthetical statute descriptions and changes the "and" to an "or."

documents from the rulemaking record compiled by the agency that materially address the constitutional issue. The agency's rulemaking record consists of all notices given for the proposed rule; any statement of estimated regulatory costs for the rule; a written summary of hearings on the proposed rule; the written comments and responses to written comments as required by sections 120.54 ~~(rule adoption)~~ and 120.541, Florida Statutes ~~(statement of estimated regulatory costs)~~; all notices and findings made pursuant to section 120.54(4), Florida Statutes ~~(adoption of emergency rules)~~; all materials filed by the agency with the Administrative Procedures Committee pursuant to section 120.54(3), Florida Statutes ~~(rule adoption procedure)~~; all materials filed with the Department of State pursuant to section 120.54(3), Florida Statutes ~~(rule adoption procedure)~~; and all written inquiries from standing committees of the legislature concerning the rule.	
(F) <u>Immediate Final Orders.</u> In an appeal from an immediate final order entered pursuant to section 120.569(2)(n), Florida Statutes, the record shall be compiled in an appendix pursuant to rule 9.220 and served with the briefs.	Amended to create a subdivision title.
(3) Review of ~~Non-Final~~<u>Nonfinal</u> Action Pursuant to the Administrative Procedure Act. The provisions of rules 9.100 and 9.220 govern the record in proceedings seeking review of ~~non-final~~<u>nonfinal</u> administrative action.	Removes the hyphen from "non-final" for consistency throughout the rules set.
(4) Review of Administrative Action Not Subject to the Administrative Procedure Act. In proceedings seeking review of administrative action not governed by the Administrative Procedure Act, the clerk of the lower tribunal shall not be required to prepare a record or record index. The petitioner or <u>the</u> appellant shall submit an appendix in accordance with rule	Adds the article "the" before "appellant" for ease of the reader.

9.220. Supplemental appendices may be submitted by any party. Appendices may not contain any matter not made part of the record in the lower tribunal. **(5)–(6)** [No change] **(d) Attorneys' Fees.** [No change] **(e) Stays Pending Review.** **(1) Effect of Initiating Review.** [No change] **(2) Application for Stay Under the Administrative Procedure Act.** (A)–(B) [No change] (C) When an agency has suspended or revoked a license other than on an emergency basis, a licensee may file with the court a motion for stay on an expedited basis~~.~~. The agency may file a response within 10 days of the filing of the motion, or within a shorter time period set by the court. Unless the agency files a timely response demonstrating that a stay would constitute a probable danger to the health, safety, or welfare of the state, the court shall grant the motion and issue a stay.	Deletes an extra period.
(D) When an order suspending or revoking a license has been stayed pursuant to subdivision (e)(2)(C), an agency may apply to the court for dissolution or modification of the stay on grounds that subsequently acquired information demonstrates that failure to dissolve or modify the stay would constitute a probable danger to the public health,	Amended to correctly refer to subdivision (e)(2)(C).

safety, or welfare of the state. **(3)–(4)** [No change] **Committee Notes** [No change]	

RULE 9.200. THE RECORD **(a) Contents.** [No change] **(b) Transcript(s) of Proceedings.** **(1) Designation to Court Reporter.** Within 10 days of filing the notice of appeal, the appellant shall designate those portions of the proceedings not on file deemed necessary for transcription and inclusion in the record and shall serve the designation on the approved court reporter, civil court reporter, or approved transcriptionist. Within 20 days of filing the notice of appeal, an appellee may designate additional portions of the proceedings and shall serve the designation on the approved court reporter, civil court reporter, or approved transcriptionist. Copies of designations shall be served on the approved court reporter, civil court reporter, or approved transcriptionist. Costs of the transcript(s) so designated shall be borne initially by the designating party, subject to appropriate taxation of costs as prescribed by rule 9.400. At the time of the designation, unless other satisfactory arrangements have been made, the designating party must make a deposit of 1/2 of the estimated transcript costs, and must pay the full balance of the fee on delivery of the completed transcript(s).	Creates new subdivision titles for subdivisions (b)(1)–(b)(5). Amends the subdivision to clarify that the notice being referenced is the notice of appeal. Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist. Amended to clarify who has the responsibility to serve the designations on the court reporter or approved transcriptionist.
(2) Court Reporter's Acknowledgment. On service of a designation, the approved court reporter, civil court reporter, or approved transcriptionist shall acknowledge at the foot of the designation the fact that it has been received and the date on which the approved court reporter, civil court reporter, or approved transcriptionist expects to have the transcript(s) completed and shall serve the so-endorsed designation on the parties and file it with the clerk of the court within 5 days of	Creates a subdivision title. Renumbers existing subdivision (b)(3) as (b)(2) to put the rule in chronological order.

service. If the transcript(s) cannot be completed within 30 days of service of the designation, the approved court reporter, civil court reporter, or approved transcriptionist shall request such additional time as is reasonably necessary and shall state the reasons therefor. If the approved court reporter, civil court reporter, or approved transcriptionist requests an extension of time, the court shall allow the parties 5 days in which to object or agree. The court shall approve the request or take other appropriate action and shall notify the reporter and the parties of the due date of the transcript(s).	
(~~2~~3) Time for Service of Transcript. Within 30 days of service of a designation, or within the additional time provided for under subdivision (b)(~~3~~2) of this rule, the approved court reporter, civil court reporter, or approved transcriptionist shall transcribe and file with the clerk of the lower tribunal the designated proceedings and shall serve copies as requested in the designation.	Creates a subdivision title. Renumbers the subdivision as (b)(3).
If a designating party directs the approved court reporter, civil court reporter, or approved transcriptionist to furnish the transcript(s) to fewer than all parties, that designating party shall serve a copy of the designated transcript(s) on the parties within ~~5~~10 days of receipt from the approved court reporter, civil court reporter, or approved transcriptionist.	Amended to allow more time to serve the copies of the designated transcripts on the parties.
~~The transcript of the trial shall be filed with the clerk separately from the transcripts(s) of any other designated proceedings. The transcript of the trial shall be followed by a master trial index containing the names of the witnesses, a list of all exhibits offered and introduced in evidence, and the pages where each may be found. The pages, including the index pages, shall be consecutively numbered, beginning with page 1. The pages shall not be condensed.~~	This part of the subdivision is moved to new subdivision (b)(4), entitled "Organization of Transcript."
~~(3) On service of a designation, the approved~~	

~~court reporter, civil court reporter, or approved transcriptionist shall acknowledge at the foot of the designation the fact that it has been received and the date on which the approved court reporter, civil court reporter, or approved transcriptionist expects to have the transcript(s) completed and shall serve the so-endorsed designation on the parties and file it with the clerk of the court within 5 days of service. If the transcript(s) cannot be completed within 30 days of service of the designation, the approved court reporter, civil court reporter, or approved transcriptionist shall request such additional time as is reasonably necessary and shall state the reasons therefor. If the approved court reporter, civil court reporter, or approved transcriptionist requests an extension of time, the court shall allow the parties 5 days in which to object or agree. The court shall approve the request or take other appropriate action and shall notify the reporter and the parties of the due date of the transcript(s).~~	Moves contents of existing subdivision (b)(3) to (b)(2).
(4) Organization of Transcript. The transcript of the trial shall be filed with the clerk separately from the transcript(s) of any other designated proceedings. The transcript of the trial shall be followed by a master trial index containing the names of the witnesses, a list of all exhibits offered and introduced in evidence, and the pages where each may be found. The pages, including the index pages, shall be consecutively numbered, beginning with page 1. The pages shall not be condensed.	Moved from existing subdivision (b)(2) to be in chronological order.
(~~4~~5) Statement of Evidence or Proceedings. If no report of the proceedings was made, or if the transcript is unavailable, a party may prepare a statement of the evidence or proceedings from the best available means, including the party's recollection. The statement shall be served on all other parties who may serve objections or proposed amendments to it within	Creates a subdivision title and renumbers the subdivision as (b)(5) from (b)(4).

10 days of service. Thereafter, the proposed statement and any objections or proposed amendments shall be filed with the lower tribunal for settlement and approval. As settled and approved, the statement shall be included by the clerk of the lower tribunal in the record	
(c) Cross-Appeals. Within 20 days of filing the notice of appeal, a cross-appellant may direct that additional documents, exhibits, or transcript(s) be included in the record. If less than the entire record is designated, the cross-appellant shall serve, with the directions, a statement of the judicial acts to be reviewed. The cross-appellee shall have 10 days after such service to direct further additions. The time for preparation and transmittal of the record shall be extended by 10 days.	Amends the subdivision to clarify that the notice being referenced is the notice of appeal.
(d) ~~Duties of Clerk;~~ Preparation and ~~Transmittal~~Transmission of Electronic Record. (1) The clerk of the lower tribunal shall prepare the record as follows: (A) The clerk of the lower tribunal shall assemble the record on appeal and prepare a cover page and a complete index to the record. The cover page shall include the name of the lower tribunal, the style and number of the case, and the caption RECORD ON APPEAL in 48-point bold font. Consistent with Florida Rule of Judicial Administration 2.420(g)(8), the index shall indicate any confidential information in the record and if the information was determined to be confidential in an order, identify such order by date or docket number and record page number. The clerk of the lower tribunal shall not be required to verify and shall not charge for the incorporation of any transcript(s) into the record. The transcript of	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

the trial shall be kept separate from the remainder of the record on appeal and shall not be renumbered by the clerk. The progress docket shall be incorporated into the record immediately after the index. (B) All pages of the remainder of the record shall be consecutively numbered. Any transcripts other than the transcript of the trial shall continue the pagination of the record pages. Supplements permitted after the clerk of the lower tribunal has transmitted the record to the court shall be submitted by the clerk as separate Portable Document Format ("PDF") files in which pagination is consecutive from the original record and continues through each supplement. (C) The entire record, except for the transcript of the trial, shall be compiled into a single PDF file. The PDF file shall include all filings in their redacted form. The unredacted version of any information in the record shall be provided to the appellate court upon request. The PDF file shall be: (i) text searchable; (ii) paginated so that the page numbers displayed by the PDF reader exactly match the pagination of the index; and (iii) bookmarked, consistently with the index, such that each bookmark states the date, name, and record page of the filing and the bookmarks are viewable in a separate window. (2) The transcript of the trial shall be converted	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

into a second PDF file. The PDF file shall be: (A) text searchable; and (B) paginated to exactly match the pagination of the master trial index of the transcript of the trial filed under subdivision (b)(2). (3) The clerk of the lower tribunal shall certify the record and transmit the record and the transcript of the trial to the court by uploading the PDF files: (A) via the Florida Courts E-Filing Portal; or (B) in accordance with the procedures established by the appellate court's administrative order governing transmission of the record.	
(4) The court shall upload the electronic record to the electronic filing (e-filing) system docket. Attorneys and those parties who are registered users of the court's e-filing system may download the electronic record in their case(s).	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.
(e) Duties of Appellant or Petitioner. The burden to ensure that the record is prepared and transmitted in accordance with these rules shall be on the petitioner or the appellant. Any party may enforce the provisions of this rule by motion.	Adds the article "the" before "appellant" for ease of the reader.
(f) Correcting and Supplementing Record. (1) If there is an error or omission in the record, the parties by stipulation, the lower tribunal before the	

record is transmitted, or the court may correct the record. (2) If the court finds the record is incomplete, it shall direct a party to supply the omitted parts of the record. No proceeding shall be determined, because of an incomplete record, until an opportunity to supplement the record has been given. (3) If the court finds that the record is not in compliance with the requirements of this rule, it may direct the clerk of the lower tribunal to submit a compliant record, which will replace the previously filed noncompliant record. **Committee Notes** [No change]	NOTE: Amendments shown in double underline and double strikethrough are pending with the Court in *In re: Amendments to the Florida Rules of Appellate Procedure*, SC16-1377.

RULE 9.210. BRIEFS **(a) Generally.** In addition to briefs on jurisdiction under rule 9.120(d), the only briefs permitted to be filed by the parties in any ~~one~~1 proceeding are the initial brief, the answer brief, a reply brief, and a cross-reply brief. All briefs required by these rules shall be prepared as follows:	Changes "one" to "1" to conform to the *Guidelines*.
(1) When not filed in electronic format, briefs shall be printed, typewritten, or duplicated on opaque, white, unglossed paper. The dimensions of each page of a brief, regardless of format, shall be 8 1/2 by 11 inches. When filed in electronic format, parties shall file only the electronic version.	Clarifies that when documents are filed electronically, they do not need to also be filed in paper format.
(2)–(3) [No change]	
(4) The cover sheet of each brief shall state the name of the court, the style of the cause, including the case number if assigned, the lower tribunal, the party on whose behalf the brief is filed, the type of brief, and the name, ~~and~~ address, and e-mail address of the attorney filing the brief.	Requires the attorney to include their e-mail address on the cover sheet of the brief to conform to electronic filing and electronic service.
(5) [No change]	
(6) Unless otherwise ordered by the court, an attorney representing more than 1 party in an appeal may file only 1 initial or answer brief and 1 reply brief, if authorized, which will include argument as to all of the parties represented by the attorney in that appeal. A single party responding to more than 1 brief, or represented by more than 1 attorney, is similarly bound.	Restricts parties to one initial, answer, or reply brief, even if an attorney is representing multiple parties.
(b) Contents of Initial Brief. The initial brief shall	

contain the following, in order:	
(1) ~~A~~a table of contents listing the sections of the brief, including headings and subheadings that identify the issues presented for review, with references to the pages on which each appears~~.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period.
(2) ~~A~~a table of citations with cases listed alphabetically, statutes and other authorities, and the pages of the brief on which each citation appears~~. See rule 9.800 for a uniform citation system.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period. Deletes last sentence of the subdivision as it is duplicative.
(3) ~~A~~a statement of the case and of the facts, which shall include the nature of the case, the course of the proceedings, and the disposition in the lower tribunal~~.~~, with ~~R~~references to the appropriate pages of the record or transcript~~shall be made.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period. Combines the sentences in the subdivision into one sentence.
(4) ~~A~~a summary of argument, suitably paragraphed, condensing succinctly, accurately, and clearly the argument actually made in the body of the brief~~. It~~, which should not be a mere repetition of the headings under which the argument is arranged~~. It~~, and should seldom exceed 2 and never 5 pages~~.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period. Combines the sentences in the subdivision into one sentence.
(5) ~~A~~argument with regard to each issue, with citation to appropriate authorities, and including the applicable appellate standard of review~~.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period.
(6) ~~A~~a conclusion, of not more than 1 page, setting forth the precise relief sought~~.~~;	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period.

(7) ~~A~~a certificate of service~~.~~; and (8) ~~A~~a certificate of compliance for computer-generated briefs.	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period. Adds the conjunctive "and."
(c)–(e) [No change]	Amended to begin the subdivision with a lower case letter.
(f) Times for Service of Briefs. The times for serving jurisdictional and initial briefs are prescribed by rules 9.110, 9.120, 9.130, and 9.140. Unless otherwise required, the answer brief shall be served within 20 days after service of the initial brief; the reply brief, if any, shall be served within 20 days after service of the answer brief; and the cross-reply brief, if any, shall be served within 20 days thereafter. In any appeal or cross-appeal, if more than 1 initial or answer brief is authorized, the responsive brief shall be served within 20 days after the last initial or answer brief was served or could have been timely served, whichever is later.	Addresses the time frames for serving a brief if more than one initial or answer brief is authorized.
(g) Citations. [No change]	
Committee Notes	
[No change]	
Court Commentary	
[No change]	

RULE 9.225. NOTICE OF SUPPLEMENTAL AUTHORITY A party may file ~~N~~notice~~s~~ of supplemental authority ~~may be filed~~ with the court before a decision has been rendered to call attention to decisions, rules, statutes, or other authorities that are significant to the issues raised and that have been discovered after service of the party's~~the~~ last brief ~~served~~ in the cause. The notice shall not contain argument, but may identify briefly the issues argued on appeal to which the supplemental authorities are pertinent if the notice is substantially in the form prescribed by rule 9.900(j). Copies of the supplemental authorities shall be attached to the notice. **Committee Notes** [No change]	Rephrases the first sentence of the rule to remove the passive voice and to clarify that more than one notice of supplemental authority may be filed.

RULE 9.310. STAY PENDING REVIEW **(a) Application.** Except as provided by general law and in subdivision (b) of this rule, a party seeking to stay a final or ~~non-final~~nonfinal order pending review shall file a motion in the lower tribunal, which shall have continuing jurisdiction, in its discretion, to grant, modify, or deny such relief. A stay pending review may be conditioned on the posting of a good and sufficient bond, other conditions, or both. **(b)–(f)** [No change] **Committee Notes** [No change]	Removes the hyphen from "non-final" for consistency throughout the rules set.

RULE 9.330. REHEARING; CLARIFICATION; CERTIFICATION; WRITTEN OPINION	Amends the title to indicate that the rule also addresses written opinions.
(a) Time for Filing; Contents; Response.	
(1) Time for Filing. A motion for rehearing, clarification, certification, or issuance of a written opinion may be filed within 15 days of an order or decision of the court or within such other time set by the court.	Divides subdivision (a) into new subdivisions (a)(1)–(a)(3) to make the rule more user-friendly. New subdivision (a)(1) is entitled "Time for Filing" and includes language from existing subdivision (a). Amends the rule to address both orders and decisions of the court.
(2) Contents.	New subdivision (a)(2) is entitled "Contents." New subdivisions (a)(2)(A)–(a)(2)(D) address the contents of the respective motions.
(A) Motion for Rehearing. A motion for rehearing shall state with particularity the points of law or fact that, in the opinion of the movant, the court has overlooked or misapprehended in its order or decision~~, and~~. The motion shall not present issues not previously raised in the proceeding.	New subdivision (a)(2)(A) addresses motions for rehearing and includes language from existing subdivision (a). Amends the rule to address both orders and decisions of the court.
(B) Motion for Clarification. A motion for clarification shall state with particularity the points of law or fact in the court's order or decision that, in the opinion of the movant, are in need of clarification.	New subdivision (a)(2)(B) addresses motions for clarification and includes language from existing subdivision (a). Amends the rule to address both orders and decisions of the court.
(C) Motion for Certification. A motion for certification shall set forth the case(s) that expressly and directly conflicts with the order or decision or set forth the issue or question to be certified as one of great public importance.	New subdivision (a)(2)(C) addresses motions for certification.
(D) Motion for Written Opinion. A motion for written opinion shall set forth the reasons that the	New subdivision (a)(2)(D) addresses motions for written opinion.

party believes that a written opinion would provide: (i) a legitimate basis for supreme court review; (ii) an explanation for an apparent deviation from prior precedent; or (iii) guidance to the parties or lower tribunal when: a. the issue decided is also present in other cases pending before the court or another district court of appeal; b. the issue decided is expected to recur in future cases; c. there are conflicting decisions on the issue from lower tribunals; d. the issue decided is one of first impression; or e. the issue arises in a case in which the court has exclusive subject matter jurisdiction.	New subdivisions (a)(2)(D)(i)–(a)(2)(D)(iii) provide reasons for requesting a written opinion: legitimate basis for supreme court review; explanation for an apparent deviation from prior precedent; or guidance to the parties or lower tribunal. These reasons are based on the *Final Report and Recommendations Committee on Per Curiam Affirmed Decisions*, May 2000. New subdivisions (a)(2)(D)(iii)a.–(a)(2)(D)(iii)e. detail the reasons for which guidance can be requested: the issue is also present in other cases pending before the court or another district court or appeal; the issue is expected to recur in future cases; there are conflicting decisions on the issue from lower tribunals; the issue decided is one of first impression; or the issue arises in a case in which the court has exclusive subject matter jurisdiction.
(3) Response. A response may be served within 10 days of service of the motion. ~~When a decision is entered without opinion, and a party believes that a written opinion would provide a legitimate basis for supreme court review, the party may request that the court issue a written opinion. If such a request is made by an attorney, it shall include~~	New subdivision (a)(3) is entitled "Response" and includes language from existing subdivision (a). Language regarding written opinion is moved to new subdivision (a)(2)(D).

~~the following statement:~~ ~~I express a belief, based upon a reasoned and studied professional judgment, that a written opinion will provide a legitimate basis for supreme court review because (state with specificity the reasons why the supreme court would be likely to grant review if an opinion were written).~~ ~~s/ _____~~ ~~Attorney for _____~~ ~~(Name of Party)~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~_____~~ ~~(address, e-mail address, and phone number)~~ ~~_____~~ ~~(Florida Bar number)~~	The statement and signature block are deleted as superfluous.
(b) Limitation. A party shall not file more than 1 motion for rehearing, ~~or for~~ clarification, ~~of decision and 1 motion for~~ certification, or written opinion with respect to a particular order or decision of the court. All motions filed under this rule with respect to a particular order or decision must be combined in a single document.	Amends the subdivision to clarify that parties are permitted to file one of each type of post-decision motion. Additional amendments require that all post-decision motions be filed in a single document.
(c) Exception; Bond Validation Proceedings. A motion for rehearing or for clarification of an order or decision in proceedings for the validation of bonds or certificates of indebtedness as provided by rule 9.030(a)(1)(B)(ii) may be filed within 10 days of an order or decision or within such other time set by the court. A reply may be served within 5 days of service of the motion. The mandate shall issue forthwith if a timely	Amends the rule to address both orders and decisions of the court.

motion has not been filed. A timely motion shall receive immediate consideration by the court and, if denied, the mandate shall issue forthwith.	
(d) Exception; Review of District Court of Appeal Decisions. No motion for rehearing or clarification may be filed in the supreme court addressing:	Amends the subdivision title to clarify that the court being referenced is the District Court of Appeal.
(1) the dismissal of an appeal that attempts to invoke the court's mandatory jurisdiction under rule 9.030(a)(1)(A)(ii) when the appeal seeks to review a decision of a district court of appeal without opinion~~,~~; or	
(2) the grant or denial of a request for the court to exercise its discretion to review a decision described in rule 9.030(a)(2)(A)~~,~~; or	Changes the comma to a semicolon for consistency.
(3) the dismissal of a petition for an extraordinary writ described in rule 9.030(a)(3) when such writ is used to seek review of a district court of appeal decision without opinion.	Changes the comma to a semicolon for consistency.
(e) Application. This rule applies only to appellate orders or decisions that adjudicate, resolve, or otherwise dispose of an appeal, original proceeding, or motion for appellate attorneys' fees. The rule is not meant to limit the court's inherent authority to reconsider nonfinal appellate orders and decisions.	Amends the subdivision to clarify that the court being referenced is the District Court of Appeal. Creates an application provision as new subdivision (e) "Application."
Committee Notes	
1977 Amendment.–2008 Amendment. [No change]	
20__ Amendment. This rule has been amended to broaden the grounds upon which a party may permissibly seek a	Creates a new committee note to explain proposed

written opinion following the issuance of a per curiam affirmance. Subdivision (a)(2)(D)(iii)e. is intended to address situations in which a specific district court of appeal has exclusive subject matter jurisdiction over a type of case by operation of law, such as the First District Court of Appeal regarding workers' compensation matters.	amendments to subdivision (a).

RULE 9.331. DETERMINATION OF CAUSES IN A DISTRICT COURT OF APPEAL EN BANC	
(a) En Banc Proceedings~~:~~; Generally. A majority of the participating judges of a district court of appeal ~~participating~~ may order that a proceeding pending before the court be determined en banc. If a majority of the participating judges order that a proceeding will be determined en banc, the district court of appeal shall promptly notify the parties that the proceeding will be determined en banc. A district court of appeal en banc shall consist of the judges in regular active service on the court. En banc hearings and rehearing shall not be ordered unless the case or issue is of exceptional importance or unless necessary to maintain uniformity in the court's decisions. The en banc decision shall be by a majority of the active judges actually participating and voting on the case. In the event of a tie vote, the panel decision of the district court of appeal shall stand as the decision of the court. If there is no panel decision, a tie vote will affirm the trial court decision.	Deletes the colon in the subdivision title and replaces it with a semicolon for consistency throughout the rules set. Rephrases the sentence for greater clarity. Requires the parties be notified if a case is being considered en banc on the court's own motion. Adds "or issue" to conform to a 2014 amendment to Rule 9.330. Adds "of appeal" to clarify that the court being referenced is the District Court of Appeal.
(b) En Banc Proceedings by Divisions. If a district court of appeal chooses to sit in subject-matter divisions as approved by the ~~S~~supreme ~~C~~court, en banc determinations shall be limited to those regular active judges within the division to which the case is assigned, unless the chief judge determines that the case involves matters of general application and that en banc determination should be made by all regular active judges. However, in the absence of such determination by the chief judge, the full court may determine by an affirmative vote of three-fifths of the active judges that the case involves matters that should be heard and decided by the full court, in which event en banc determination on the merits of the case shall be made by an	Amends "Supreme Court" to begin with lower case letters to conform to the *Guidelines* and to avoid confusion with the United States Supreme Court.

affirmative vote of a majority of the regular active judges participating. **(c) Hearings En Banc.** [No change] **(d) Rehearings En Banc.** **(1) Generally.** [No change] **(2) Required Statement for Rehearing En Banc.** A rehearing en banc is an extraordinary proceeding. In every case the duty of counsel is discharged without filing a motion for rehearing en banc unless ~~one~~1 of the grounds set forth in (d)(1) is clearly met. If filed by an attorney, the motion shall contain either or both of the following statements: I express a belief, based on a reasoned and studied professional judgment, that the case or issue is of exceptional importance. Or I express a belief, based on a reasoned and studied professional judgment, that the panel decision is contrary to the following decision(s) of this court and that a consideration by the full court is necessary to maintain uniformity of decisions in this court (citing specifically the case or cases). ~~/s/ _____~~ ~~_____~~ ~~Attorney for _____~~ ~~(name of party)~~ ~~_____~~	Replaces "one" with "1" to conform to the *Guidelines*. Clarifies that the subdivision being referenced is (d)(1). Deletes the signature block as being superfluous.

_____ ~~(address, e-mail address, and phone number)~~ ~~Florida Bar No. _____~~ **(3) Disposition of Motion for Rehearing En Banc.** A motion for rehearing en banc shall be disposed of by order. If rehearing en banc is granted, the court may limit the issues to be reheard, require the filing of additional briefs, ~~and may~~ require additional argument, or any combination of those options. **Committee Notes** [No change] **Court Commentary** [No change]	Clarifies that the court will determine whether to limit the issues to be reheard, require additional briefs or argument, or any of the above.

RULE 9.350. DISMISSAL OF CAUSES **(a) Dismissal of Causes When Settled.** [No change] **(b) Voluntary Dismissal.** A proceeding of an appellant or a petitioner may be dismissed before a decision on the merits by filing a notice of dismissal with the clerk of the court without affecting the proceedings filed by joinder or cross-appeal; provided that dismissal shall not be effective until 10 days after ~~filing~~service of the notice of appeal or until 10 days after the time prescribed by rule 9.110(b), whichever is later. In a proceeding commenced under rule 9.120, dismissal shall not be effective until 10 days after the serving of the notice to invoke discretionary jurisdiction or until 10 days after the time prescribed by rule 9.120(b), whichever is later. **(c)–(d)** [No change] **Committee Notes** [No change]	Adds the article "a" before "petitioner" for ease of the reader. Amends the subdivision to avoid a possible conflict in which a timely notice of cross-appeal is served, but a dismissal could be effective 10 days after filing the notice of appeal. Changing the date from a filing date to a service date will avoid the potential conflict. Further amends the subdivision to address proceedings commenced under Rule 9.120 (Discretionary Proceedings to Review Decisions of District Courts of Appeal).

RULE 9.360. PARTIES	
(a) Joinder for Realignment as Appellant or Petitioner. An ~~party to the cause in the lower tribunal~~appellee or respondent who desires to ~~join in a proceeding~~realign as ~~a petitioner or~~an appellant or petitioner shall serve a notice ~~to that effect~~of joinder no later than the latest of the following:	Clarifies the definition of "joinder" to "joinder for realignment as appellant or petitioner" which is more accurate. Clarifies which parties are allowed to file a notice of joinder.
(~~i~~1) within 10 days of service of a timely filed ~~petition or~~ notice of appeal or petition;	Renumbers existing subdivisions (a)(i)–(a)(iii) as (a)(1)–(a)(3) to conform to the *Guidelines*.
(~~ii~~2) within the time prescribed for filing a notice of appeal; or	Puts "notice of appeal" and "petition" in alphabetical order.
(~~iii~~3) within the time prescribed in rule 9.100(c).	
The notice of joinder, accompanied by any filing fees prescribed by law, shall be filed either before service or immediately thereafter ~~in the same manner as the petition or notice of appeal~~. The body of the notice shall set forth the proposed new caption. Upon filing of the notice and payment of the fee, the clerk shall change the caption to reflect the realignment of the parties in the notice.	The phrase "in the same manner as the petition" is deleted as it is redundant. Requires that the body of the notice of joinder set forth the proposed new caption. Specifies that the clerk shall change the caption to reflect the notice of joinder.
(b) Attorneys~~,~~; Representatives~~,~~; ~~and~~ Guardians Ad Litem. Attorneys, representatives, and guardians ad litem in the lower tribunal shall retain their status in the court unless others are duly appointed or substituted; however, for limited representation proceedings under Florida Family Law Rule of Procedure 12.040, representation terminates upon the filing of a notice of completion titled "Termination of Limited Appearance" pursuant to rule 12.040(c).	Removes the colons in the subdivision title and replaces them with semicolons for consistency throughout the rules set.

(c) Substitution of Parties. (1)–(3) [No change] (4) If a person entitled to file a notice of appeal dies before filing and that person's rights survive, the notice may be filed by the personal representative, the person's attorney ~~of record~~, or, if none, by any interested person. Following filing, the proper party shall be substituted.	Clarifies that the notice being referenced is the notice of appeal. Deletes reference to attorney of record to avoid possible conflict with amendments pending to the Florida Rules of Judicial Administration pending in SC16-1062 that define the roles of attorneys.
Committee Notes **1977 Amendment.** [No change] **20__ Amendment.** The title of subdivision (a) was amended to clarify that the joinder permitted by this rule is only for the purpose of realigning existing parties to the appeal. The required notice pursuant to subdivision (a) retains the original terminology and continues to be referred to as a "notice of joinder" consistent with the existing statutory scheme to collect a fee for filing such a notice. Subdivision (a) was also amended to remove the prior directions for filing the notice "in the same manner as the petition or notice of appeal," so that a notice of realignment is now properly filed in the court.	New committee note explains amendments to the joinder subdivision.

RULE 9.370. AMICUS CURIAE	
(a) When Permitted. An amicus curiae may file a brief only by leave of court. A motion for leave to file must state the movant's interest, the particular issue to be addressed, how the movant can assist the court in the disposition of the case, and whether all parties consent to the filing of the amicus brief.	Amended to consistently refer to the brief as an amicus brief.
(b) Contents and Form. An amicus brief must comply with ~~R~~rule 9.210(b) but shall omit a statement of the case and facts and may not exceed 20 pages. The cover must identify the party or parties supported. An amicus brief must include a concise statement of the identity of the amicus curiae and its interest in the case.	Changes "Rule" to "rule" to conform to the *Guidelines*.
(c) Time for Service. An amicus curiae must serve its brief no later than 10 days after the first brief, petition, or response of the party being supported is filed. An amicus curiae that does not support either party must serve its brief no later than 10 days after the initial brief or petition is filed. A court may grant leave for later service, specifying the time within which an opposing party may respond. The service of an amicus ~~curiae~~ brief does not alter or extend the briefing deadlines for the parties. An amicus curiae may not file a reply brief. Leave of court is required to serve an amicus brief in support of or opposition to a motion for rehearing, rehearing en banc, or for certification to the supreme court.	Amended to consistently refer to the brief as an amicus brief. Explicitly allows the participation of amicus curiae in supporting or opposing a motion for rehearing, rehearing en banc, or certification, but only with leave of the Court.
(d) Notice of Intent to File Amicus Brief in the Supreme Court of Florida. When a party has invoked the discretionary jurisdiction of the supreme court, an amicus curiae may file a notice with the court indicating its intent to seek leave to file an amicus brief on the merits should the court accept	Amends the subdivision title to clarify that the court being referenced is the Supreme Court of Florida and to avoid confusion with the United States Supreme Court.

jurisdiction. The notice shall state briefly why the case is of interest to the amicus curiae, but shall not contain argument. The body of the notice shall not exceed ~~one~~1 page. **Committee Notes** [No change]	Amended to change "one" to "1" to conform to the *Guidelines*.

RULE 9.380. NOTICE OF RELATED CASE OR ISSUE A party is permitted to file a notice of related case or issue informing the court of a pending, related case arising out of the same proceeding in the lower tribunal or involving a similar issue of law. The notice shall only include information identifying the related case. The notice shall not contain argument and shall be in substantially the format prescribed by rule 9.900(k).	Adopts a new rule to standardize the information required to be included in a notice of related case or issue. Refers to an accompanying form proposed as Rule 9.990(k).

RULE 9.400. COSTS AND ATTORNEYS' FEES	
(a) Costs. Costs shall be taxed in favor of the prevailing party unless the court orders otherwise. Taxable costs shall include:	Adds a colon at the end of the subdivision to conform to the *Guidelines*.
(1) fees for filing and service of process;	
(2) charges for preparation of the record and any hearing or trial transcripts necessary to determine the proceeding;	
(3) bond premiums; and	
(4) other costs permitted by law.	
Costs shall be taxed by the lower tribunal on a motion served no later than 45 days after rendition of the court's order. If an order is entered either staying the issuance of or recalling a mandate, the lower tribunal is prohibited from taking any further action on costs pending the issuance of a mandate or further order of the court.	
(b) Attorneys' Fees. With the exception of motions filed pursuant to rule 9.410(b), a motion for attorneys' fees shall state the grounds on which recovery is sought and shall be served not later than:	
(1) in appeals, the time for service of the reply brief; ~~or~~	Moves the "or" to the end of new subdivision (b)(3).

(2) in original proceedings, the time for service of the petitioner's reply to the response to the petition~~.~~;	Changes the period to a semicolon to allow for two new subdivisions.
(3) in discretionary review proceedings commenced under rule 9.030(a)(2)(A) in which jurisdictional briefs are permitted, the time for serving the respondent's brief on jurisdiction, or if jurisdiction is accepted, the time for serving the reply brief; or	New subdivision (b)(3) details the timeframes for serving a motion for attorneys' fees in discretionary review proceedings.
(4) in discretionary review proceedings in which jurisdiction is invoked under rule 9.030(a)(2)(A)(v), not later than 5 days after the filing of the notice, or if jurisdiction is accepted, the time for serving the reply brief.	New subdivision (b)(4) details the timeframes for serving a motion for attorneys' fees in cases involving a question of great public importance.
The assessment of attorneys' fees may be remanded to the lower tribunal. If attorneys' fees are assessed by the court, the lower tribunal may enforce payment.	
(c) Review. [No change]	
Committee Notes	
1977 Amendment. [No change]	
20 Amendment. Subdivision (b) is amended to specify the time limit for serving a motion for attorneys' fees in a discretionary review proceeding in the Supreme Court of Florida. Absent a statement to the contrary in the motion, any timely motion for attorneys' fees, whether served before or after the acceptance of jurisdiction, will function to request attorneys' fees incurred in both the jurisdiction and merits phases of the proceeding. As a result, generally only 1 motion per party per proceeding is contemplated.	New committee note details the timeframes in new subdivisions (b)(3) and (b)(4).

RULE 9.410. SANCTIONS	
(a) Court's Motion. After 10 days' notice, on its own motion, the court may impose sanctions for any violation of these rules, or for the filing of any proceeding, motion, brief, or other ~~paper~~document that is frivolous or in bad faith. Such sanctions may include reprimand, contempt, striking of briefs or pleadings, dismissal of proceedings, costs, attorneys' fees, or other sanctions.	Replaces "paper" with "documents" to conform to electronic filing.
(b) Motion by a Party.	
(1) Applicability. [No change]	
(2) Proof of Service. A motion seeking attorneys' fees as a sanction shall include an initial certificate of service, pursuant to rule 9.420(d) and subdivision (b)(3) of this rule, and a certificate of filing, pursuant to subdivision (b)(4) of this rule.	Amended to correctly reference subdivision (b)(3) and (b)(4).
(3) Initial Service. A copy of a motion for attorneys' fees as a sanction must initially be served only on the party against whom sanctions are sought. That motion shall be served no later than the time for serving any permitted response to a challenged ~~paper~~document or, if no response is permitted as of right, within 15 days after a challenged ~~paper~~document is served or a challenged claim, defense, contention, allegation, or denial is made at oral argument. A certificate of service that complies with rule 9.420(d) and that reflects service pursuant to this subdivision shall accompany the motion and shall be taken as prima facie proof of the date of service pursuant to this subdivision.	Replaces "paper" with "documents" to conform to electronic filing.
A certificate of filing pursuant to subdivision (b)(4) of this rule shall also accompany the motion, but should remain undated and	Amended to correctly reference subdivision (b)(4).

unsigned at the time of the initial service pursuant to this subdivision.	
(4) Filing and Final Service. If the challenged ~~paper~~document, claim, defense, contention, allegation, or denial is not withdrawn or appropriately corrected within 21 days after initial service of the motion under subdivision (b)(3), the movant may file the motion for attorneys' fees as a sanction with the court (~~a~~A) no later than the time for service of the reply brief, if applicable, or (~~b~~B) no later than 45 days after initial service of the motion, whichever is later.	Replaces "paper" with "documents" to conform to electronic filing.
	Amended to correctly reference subdivision (b)(3). Renumbers (b)(4)(a) and (b)(4)(b) as (b)(4)(A) and (b)(4)(B) respectively to conform to the *Guidelines*.
The movant shall serve upon all parties the motion filed with the court. A certificate of filing ~~which~~that complies in substance with the form below, and which shall be dated and signed at the time of final service pursuant to this subdivision, shall be taken as prima facie proof of such final service.	Replaces "which" with "that" for grammatical purposes.
I certify that on .....(date)....., a copy of this previously served motion has been furnished to .....(court)..... by .....hand delivery/mail/other delivery source..... and has been furnished to .....(name or names)..... by .....hand delivery/mail/other delivery source.....	
~~/s/ _____~~ ~~Attorney for …..(name of party)…..~~ ~~…..(address, e-mail address, and phone number)…..~~ ~~Florida Bar No. ……..~~	Deletes the signature block as being superfluous.
(5) Response. [No change]	

Committee Notes	
[No change]	

RULE 9.420. FILING; SERVICE OF COPIES; COMPUTATION OF TIME	
(a) Filing.	
(1) Generally. [No change]	
(2) Inmate Filing. The filing date of a document filed by a pro se inmate confined in an institution shall be presumed to be the date it is stamped for filing by the clerk of the court, except as follows:	
(A) ~~T~~the document shall be presumed to be filed on the date the inmate places it in the hands of an institutional official for mailing if the institution has a system designed for legal mail, the inmate uses that system, and the institution's system records that date~~,~~; or	Amended to begin the subdivision with a lower case letter and end with a semicolon instead of a period to conform to the *Guidelines*.
(B) ~~T~~the document shall be presumed to be filed on the date reflected on a certificate of service contained in the document if the certificate is in substantially the form prescribed by subdivision (d)(1) of this rule and either:	Amended to begin the subdivision with a lower case letter to conform to the *Guidelines*.
(i)–(ii) [No change]	
(b) Service.	
(1) By a Party or Amicus Curiae. All documents shall be filed either before service or immediately thereafter. A copy of all documents filed under these rules shall, before filing or immediately thereafter, be served on each of the	

parties. The lower tribunal, before the record is transmitted, or the court, on motion, may limit the number of copies to be served. **(2) By the Clerk of Court.** A copy of all orders and decisions shall be transmitted, in the manner set forth for service in rule 9.420(c), by the clerk of the court to all parties at the time of entry of the order or decision, without first requiring payment of any costs for the copies of those orders and decisions. Prior to the court's entry of an order or decision, the court may require that the parties furnish the court with stamped, addressed envelopes for ~~transmittal~~transmission of the order or decision.	Substitutes "transmittal" with "transmission" for consistency.
(c) Method of Service. Service of every document filed in a proceeding governed by these rules (including any briefs, motions, notices, responses, petitions, and appendices) shall be made in conformity with the requirements of Florida Rule of Judicial Administration 2.516, except that ~~the initial document filed in a proceeding governed by these rules (including any notice to invoke jurisdiction, notice of appeal, or petition for an original writ)~~petitions invoking the original jurisdiction of the court under rule 9.030(a)(3), (b)(3), or (c)(3) shall be served both by e-mail pursuant to rule 2.516(b)(1) and in paper format pursuant to rule 2.516(b)(2).	Removes requirement that the initial document in an appeal be served through U.S. Mail. Requires that original proceedings filed under Rule 9.030 (Jurisdiction of Courts) be served by both e-mail and in paper format to address situations in which opposing counsel is unknown. Amended to consistently use "format."
(d)–(e) [No change] **Committee Notes** [No change] **Court Commentary** [No change]	

RULE 9.430. PROCEEDINGS BY INDIGENTS	
(a) Appeals. A party who has the right to seek review by appeal without payment of costs shall, unless the court directs otherwise, file a signed application for determination of indigent status with the clerk of the lower tribunal, using an application form approved by the ~~S~~supreme ~~C~~court for use by circuit court clerks. The clerk of the lower tribunal's reasons for denying the application shall be stated in writing and are reviewable by the lower tribunal. Review of decisions by the lower tribunal shall be by motion filed in the court.	Amended to begin "Supreme Court" with lower case letters to conform to the *Guidelines* and to avoid confusion with the United States Supreme Court.
(b) Original Proceedings. [No change]	
(c) Incarcerated Parties.	
(1) Presumptions. In the absence of evidence to the contrary, a court may, in its discretion, presume that:	Adds the article "a" before "court" for ease of the reader. Adds a colon to the end of the subdivision to conform to the *Guidelines*.
(A) assertions in an application for determination of indigent status filed by an incarcerated party under this rule are true~~,~~; and	Ends the subdivision with a semicolon instead of a period to conform to the *Guidelines*.
(B) [No change]	
(2) Non-Criminal Proceedings. Except in cases involving criminal or collateral proceedings, an application for determination of indigent status filed under this rule by a person who has been convicted of a crime and is incarcerated for that crime or who is being held in custody pending extradition or sentencing shall contain substantially the same information as	

required by an application form approved by the ~~S~~supreme ~~C~~court for use by circuit court clerks. The determination of whether the case involves an appeal from an original criminal or collateral proceeding depends on the substance of the issues raised and not on the form or title of the petition or complaint. In these non-criminal cases, the clerk of the lower tribunal shall require the party to make a partial prepayment of court costs or fees and to make continued partial payments until the full amount is paid.	Amended to begin "Supreme Court" with lower case letters to conform to the *Guidelines* and to avoid confusion with the United States Supreme Court.
(d) Parties in Juvenile Dependency and Termination of Parental Rights Cases; Presumption. In cases involving dependency or termination of parental rights, a court may, in its discretion, presume that any party who has been declared indigent for purposes of proceedings by the lower tribunal remains indigent, in the absence of evidence to the contrary.	Adds the article "a" before "court" for ease of the reader.
Committee Notes	
[No change]	

RULE 9.500. ADVISORY OPINIONS TO GOVERNOR	
(a) Filing. [No change]	
(b) Procedure. As soon as practicable after the filing of the request, the justices shall determine whether the request is within the purview of article IV, section 1(c)~~,~~ of the Florida Constitution, and proceed as follows:	Deletes comma and adds "of the" for consistency throughout the rule.
(1) If 4 justices concur that the question is not within ~~that purview~~the purview of article IV, section 1(c) of the Florida Constitution, the governor shall be advised forthwith in writing and a copy shall be filed in the clerk's office.	Specifies the article and section of the Florida Constitution being referenced.
(2) If the request is within ~~that~~the purview of article IV, section 1(c) of the Florida Constitution, the court ~~may~~shall permit ~~persons whose substantial interests may be affected to be heard~~, subject to its rules of procedure, interested persons to be heard on the questions presented through briefs, oral argument, or both. ~~If the court determines to receive briefs or hear oral argument, it shall set the time for filing briefs, the date of argument, and the time allotted. The court may appoint amicus curiae and prescribe their duties.~~	Specifies the article and section of the Florida Constitution being referenced. Adds a reference to the Supreme Court's procedure. The last two sentences are deleted as being duplicative of procedures in other rules.
(3) The justices shall file their opinions in the clerk's office not earlier than 10 days from the filing and docketing of the request, unless in their judgment the delay would cause public injury. The governor shall be advised forthwith in writing. ~~Copies shall be delivered to the governor.~~	Adds timeframes for filing any opinions pursuant to article IV, section 1 of the Florida Constitution. Removes outdated reference to "delivery."
Committee Notes	

[No change]	

RULE 9.510. ADVISORY OPINIONS TO ATTORNEY GENERAL **(a) Filing.** [No change] **(b) Contents of Request.** [No change] **(c) Procedure.** ~~The justices must initially determine whether the request is within the purview of article V, section 3(b)(10), Florida Constitution, and proceed as follows:~~ ~~(1) If 4 justices concur that the request is not within that purview, the attorney general will be advised immediately in writing and a copy will be filed in the clerk's office.~~ ~~(2)~~(1) ~~If the request is within the purview, t~~The court ~~may~~shall permit, ~~the attorney general and other interested persons to be heard~~subject to its rules of procedure, interested persons to be heard on the questions presented through briefs, oral argument, or both. ~~If the court decides to receive briefs or hear oral argument, it will establish the time for filing briefs, the date of argument, and the time allotted.~~ (2) The justices shall render their opinions no later than April 1 of the year in which the initiative is to be submitted to the voters pursuant to article XI, section 5 of the Florida Constitution. **Committee Notes**	Deletes the language in existing subdivision (c) and (c)(1) as being outdated. Renumbers existing subdivision (c)(2) as (c)(1). Changes "may" to "shall" to conform to the language of the Florida Constitution. Further amends the subdivisions to reference the Supreme Court of Florida's internal operating procedures. New subdivision (c)(2) includes the deadline for an opinion to be rendered and adds a reference to the Florida Constitution.

[No change]	

RULE 9.700. MEDIATION RULES	
(a) Applicability. Rules 9.700–9.740 apply to all appellate courts, including circuit courts exercising jurisdiction under rule 9.030(c), district courts of appeal, and the ~~S~~supreme ~~C~~court ~~of Florida~~.	Amended to begin "Supreme Court" with lower case letters to conform to the *Guidelines* and to avoid confusion with the United States Supreme Court.
(b)–(d) [No change]	
(e) Motion to Dispense with Mediation. A motion to dispense with mediation may be served not later than 10 days after the discovery of the facts ~~which~~that constitute the grounds for the motion, if:	Replaces "which" with "that" for grammatical purposes.
(1)–(2) [No change]	

RULE 9.710. ELIGIBILITY FOR MEDIATION	
Any case filed may be referred to mediation at the discretion of the court, but under no circumstances may the following categories of actions be referred: ~~**(a) Criminal and post-conviction cases.**~~ ~~**(b) Habeas corpus and extraordinary writs.**~~ ~~**(c) Civil or criminal contempt.**~~ ~~**(d) Involuntary civil commitments of sexually violent predators.**~~ ~~**(e) Collateral criminal cases.**~~ ~~**(f) Other matters as may be specified by administrative order.**~~ (a) criminal and postconviction cases; (b) habeas corpus and extraordinary writs; (c) civil or criminal contempt; (d) involuntary civil commitments of sexually violent predators; (e) collateral criminal cases; and (f) other matters as may be specified by	Creates a list pursuant to the *Guidelines*.

administrative order.	

RULE 9.720. MEDIATION PROCEDURES	
(a) Appearance. If a party to mediation is a public entity required to conduct its business pursuant to chapter 286, Florida Statutes, that party shall be deemed to appear at a mediation conference by the physical presence of a representative with full authority to negotiate on behalf of the entity and to recommend settlement to the appropriate decision-making body of the entity. Otherwise, unless changed by order of the court, a party is deemed to appear at a mediation conference if the following persons are physically present or appear electronically upon agreement of the parties:	
(1) ~~T~~the party or its representative having full authority to settle without further consultation~~.~~;	Begins subdivision with a lower case letter and ends the subdivision with a semicolon.
(2) ~~T~~the party's trial or appellate counsel of record, if any. If a party has more than ~~one~~1 counsel, the appearance of only ~~one~~1 counsel is required~~.~~; and	Begins subdivision with a lower case letter and ends the subdivision with a semicolon. Substitutes "one" with "1" to conform to the *Guidelines*. Adds the conjunctive "and."
(3) ~~A~~a representative of the insurance carrier for any insured party who is not such carrier's outside counsel and who has full authority to settle without further consultation.	Begins the subdivision with a lower case letter.
(b) Sanctions. If a party fails to appear at a duly noticed mediation conference without good cause, the court, upon motion of a party or upon its own motion, may impose sanctions, including, but not limited to, any or all of the following, against the party failing to appear:	
(1) ~~A~~an award of mediator and attorneys' fees and other costs or monetary sanctions~~.~~;	Begins the subdivision with a lower case letter and ends the subdivision with a semicolon. Adds "s'" to "attorney fees" for consistency throughout the rules set.

(2) ~~T~~the striking of briefs~~.~~;	Begins the subdivision with a lower case letter and ends the subdivision with a semicolon.
(3) ~~E~~elimination of oral argument~~.~~; or	Begins the subdivision with a lower case letter and ends the subdivision with a semicolon. Adds the conjunctive "or" to the list.
(4) ~~D~~dismissal or summary affirmance.	Begins the subdivision with a lower case letter.
(c)–(g) [No change]	
Committee Note	
[No change]	

RULE 9.800. UNIFORM CITATION SYSTEM This rule applies to all legal documents, including court opinions. Except for citations to case reporters, all citation forms should be spelled out in full if used as an integral part of a sentence either in the text or in footnotes. Abbreviated forms as shown in this rule should be used if the citation is intended to stand alone either in the text or in footnotes. **(a) Florida Supreme Court.** (1) 1887–present: *Fenelon v. State*, 594 So. 2d 292 (Fla. 1992). (2) 1846–1886: *Livingston v. L'Engle*, 22 Fla. 427 (1886). ~~(2) *Fenelon v. State*, 594 So. 2d 292 (Fla. 1992).~~ (3) For ~~recent~~ opinions not ~~yet~~ published in the Southern Reporter, cite to ~~Florida Law Weekly: *Traylor v. State*, 17 Fla. L. Weekly S42 (Fla. Jan. 16, 1992). If not therein, cite to the slip opinion: *Medina v. State*, No. SC00-280 (Fla. Mar. 14, 2002).~~ any of the following: (A) the slip opinion: *Medina v. State*, No. SC00-280 (Fla. Mar. 14, 2002); (B) Florida Law Weekly: *Traylor v. State*, No. 70051, 17 FLW S42 (Fla. Jan. 16, 1992); (C) Westlaw: *Singh v. State*, No. SC10-	Moves up the contents of existing subdivision (a)(2) to subdivision (a)(1), placing the current citation form at the top of the list. Moves language from existing subdivision (a)(1) to new subdivision (a)(2). Moves this language to subdivision (a)(1). Divides subdivision (a)(3) into new subdivisions (a)(3)(A)–(a)(3)(D) to address Florida Supreme Court opinions not published in the Southern Reporter. The citations are removed from existing subdivision (a)(3) and in their place "any of the following:" is proposed. Proposed new subdivision (a)(3)(A) would provide the citation form for slip opinions. Proposed new subdivision (a)(3)(B) would provide the citation form for Florida Law Weekly. Proposed new subdivision (a)(3)(C) would provide the

1544, 2014 WL 7463592 (Fla. Dec. 30, 2014); or	citation form for Westlaw.
(D) LEXIS: *Johnston v. State*, No. SC09-839, 2010 Fla. LEXIS 62 (Fla. Jan. 21, 2010).	Proposed new subdivision (a)(3)(D) would provide the citation form for LexisNexis.
(b) Florida District Courts of Appeal.	
(1) *Sotolongo v. State*, 530 So. 2d 514 (Fla. 2d DCA 1988); *Buncayo v. Dribin*, 533 So. 2d 935 (Fla. 3d DCA 1988).	
(2) For ~~recent~~ opinions not ~~yet~~ published in the Southern Reporter, cite to ~~Florida Law Weekly: *Myers v. State*, 16 Fla. L. Weekly D1507 (Fla. 4th DCA June 5, 1991). If not therein, cite to the slip opinion: *Fleming v. State*, No. 1D01-2734 (Fla. 1st DCA Mar. 6, 2002).~~any of the following:	Divides subdivision (b)(2) into new subdivisions (b)(2)(A)–(b)(2)(D) to address Florida District Court of Appeal opinions not published in the Southern Reporter. The citations are removed from existing subdivision (b)(2) and in their place "any of the following:" is proposed.
(A) the slip opinion: *Fleming v. State*, No. 1D01-2734 (Fla. 1st DCA Mar. 6, 2002);	Proposed new subdivision (b)(2)(A) would provide the citation form for slip opinions.
(B) Florida Law Weekly: *Myers v. State*, No. 90-1092, 16 FLW D1507 (Fla. 4th DCA June 5, 1991);	Proposed new subdivision (b)(2)(B) would provide the citation form for Florida Law Weekly.
(C) Westlaw: *Williams v. State*, No. 2D14-2438, 2014 WL 3418358 (Fla. 2d DCA June 12, 2014); or	Proposed new subdivision (b)(2)(C) would provide the citation form for Westlaw.
(D) LEXIS: *Minakan v. Husted*, No. 4D09-4439, 2010 Fla. App. LEXIS 288 (Fla. 4th DCA Jan. 20, 2010).	Proposed new subdivision (b)(2)(D) would provide the citation form for LexisNexis.
(c) Florida Circuit Courts and County Courts.	
(1) ~~*Whidden v. Francis*, 27 Fla. Supp. 80 (Fla.~~	Amends subdivision (c)(1) by deleting the contents and replacing it with the circuit court citation "*State v. Campeau*, No.

~~11th Cir. Ct. 1966)~~Circuit Court: *State v. Campeau*, No. 1990-CF-4363, 16 FLW C65 (Fla. 9th Cir. Ct. Nov. 7, 1990). (2) ~~*State v. Alvarez*, 42 Fla. Supp. 83 (Fla. Dade Cty. Ct. 1975)~~County Court: *Gables Ins. Recovery v. Progressive Am. Ins. Co.*, No. 2012-24280-SP-05, 22 FLW Supp. 637 (Miami-Dade Cty. Oct. 8, 2014). (3) For opinions not published in Florida Law Weekly or Florida Law Weekly Supplement, cite to ~~Florida Law Weekly Supplement: *State* v. *Ruoff*, 17 Fla. L. Weekly Supp. 619 (Fla. 17th Cir. Ct. Feb. 13, 2010). If not therein, cite to Florida Law Weekly: *State* v. *Cahill*, 16 Fla. L. Weekly C41 (Fla. 19th Cir. Ct. Mar. 5, 1991). If not therein, cite to the slip opinion: *Jones* v. *City of Ocoee*, No. CVAI-93-18 (Fla. 9th Cir. Ct. Dec. 9, 1996).~~any of the following: (A) the slip opinion: *Jones v. City of Ocoee*, No. CVAI-93-18 (Fla. 9th Cir. Ct. Dec. 9, 1996); (B) Florida Supplement: *Whidden v. Francis*, No. 1965-L-2107, 27 Fla. Supp. 80 (Fla. 11th Cir. Ct. July 12, 1966); (C) Westlaw: *Berne v. State*, No. 2006-CA-9772-O, 2009 WL 8626616 (Fla. 9th Cir. Ct. Oct. 26, 2009); or (D) LEXIS: *Alberti v. Gangell*, No. 51-2008-CA-0198-WS/H, 2014 Fla. Cir. LEXIS 55 (Fla. 6th Cir. Ct. April 16, 2014). **(d) Florida Administrative Agencies.** ~~(Cite if not in~~	1990-CF-4363, 16 FLW C65 (Fla. 9th Cir. Ct. Nov. 7, 1990)." This will provide the citation form for a circuit court decision. In subdivision (c)(2), the citation is replaced with the county court citation "*Gables Ins Recovery v. Progressive Am. Ins. Co.*, No. 2012-24280-SP-05, 22 FLW Supp. 637 (Miami-Dade Cty. Oct. 8, 2014)." This will provide the citation form for a county court decision. Divides subdivision (c)(3) into new subdivisions (c)(3)(A)–(c)(3)(D) to address Florida Circuit Court and County Court opinions not published in the Florida Law Weekly or Florida Law Weekly Supplement. The citations are removed from existing subdivision (c)(3) and in their place "any of the following:" is proposed. Proposed new subdivision (c)(3)(A) would provide the citation form for slip opinions. Proposed new subdivision (c)(3)(B) would provide the citation form for the Florida Supplement. Proposed new subdivision (c)(3)(C) would provide the citation form for Westlaw. Proposed new subdivision (c)(3)(D) would provide the citation form for LexisNexis. Subdivision (d) is amended to remove the phrase "[c]ite if not in Southern Reporter."

~~Southern Reporter.)~~	
(1) ~~For decisions of the Public Employees Relations Commission: *Indian River Educ. Ass'n v. School Bd.*, 4 F.P.E.R. 4262 (1978)~~For agency final orders: *Dep't of Health v. Migicovsky*, No. 2011-16915 (Fla. Bd. of Med. Dec. 17, 2012) (Final Order No. DOH-12-2692-FOF-MQA).	Subdivision (d)(1) is amended to delete the citation form for decisions of the Public Employees Relations Commission and is replaced with the citation form for final agency orders.
(2) For decisions of the ~~Florida Public Service Commission: *In re Application of Tampa Elec. Co.*, 81 F.P.S.C. 2:120 (1981).~~Division of Administrative Hearings: *Dep't of Fin. Servs., Div. of Ins. Agent & Agency Servs. v. Pearson*, No. 13-4478PL (Fla. DOAH Oct. 15, 2014) (Recommended Order).	Subdivision (d)(2) is amended to delete the citation form for decisions of the Public Service Commission is replaced with the citation form for decisions of the Division of Administrative Hearings.
~~(3) For decisions posted on the Division of Administrative Hearings' website: *Big Bend Hospice, Inc. v. Agency for Health Care Administration*, Case No. 01-4415 CON (Fla. DOAH Nov. 7, 2002; Fla. AHCA Apr. 8, 2003).~~	Existing language in subdivisions (d)(3)–(d)(5) is deleted.
~~(4) For decisions that are not posted on the Division of Administrative Hearings' website but are reported in the Florida Administrative Law Reports: *Insurance Co. v. Dep't of Ins.*, 2 F.A.L.R. 648-A (Fla. Dep't of Ins. 1980).~~	
~~(5) For orders that are not posted on the Division of Administrative Hearings' website or reported in one of the above reporters: *In re Town of Inglis Petition for Waiver*, Final Order No. 07-0590 (Fla. DEP Apr. 12, 2007) (available from the agency clerk).~~	
(3) To cite a case's subsequent history at the agency and in the courts: *Dep't of Health v. Sabates*, No. 10-9430PL (Fla. DOAH June 23, 2011) (Recommended Order),	Proposed new subdivision (d)(3) provides the citation form for a case's subsequent history at the agency and in the courts.

adopted with reduced penalty, No. 2009-06686 (Fla. Bd. of Med. Aug. 29, 2011) (Final Order No. DOH-11-2101-FOF-MQA), *aff'd in part and rev'd in part*, 104 So. 3d 1227 (Fla. 4th DCA 2012).	
(4) For decisions that are not available online but are published in an administrative law reporter:	Proposed new subdivision (d)(4) addresses decisions not available online but that are published in an administrative law reporter. Further, the Committee proposes adopting new subdivisions (d)(4)(A)–(d)(4)(I).
(A) The Florida Administrative Law Reports: *Dep't of Health v. Sabates*, 34 F.A.L.R. 2378 (Fla. Bd. of Med. 2011);	Proposed new subdivision (d)(4)(A) provides a citation form for opinions in the Florida Administrative Law Reports.
(B) The Florida Career Service Reporter: *Arenas v. Dep't of Corr.*, 25 F.C.S.R. 309 (Fla. Pub. Emp. Rel. Comm'n 2010);	Proposed new subdivision (d)(4)(B) provides a citation form for opinions in the Florida Career Service Reporter.
(C) The Environmental and Land Use Administrative Law Reporter: *In the Matter of Riverview Pointe, Manatee Cty.*, 2013 E.R. F.A.L.R. 50, at 2 (Fla. Dep't of Envtl. Prot. 2012);	Proposed new subdivision (d)(4)(C) provides a citation form for opinions in the Environmental and Land Use Administrative Law Reporter.
(D) The Florida Department of Revenue Tax Reporter: *Technical Ass't Advm't 09A-049*, 2009 Tax F.A.L.R. 431 (Fla. Dep't of Rev. 2009);	Proposed new subdivision (d)(4)(D) provides a citation form for opinions in the Florida Department of Revenue Tax Reporter.
(E) The Florida Public Employee Reporter: *Delgado v. Sch. Dist. of Broward Cty., Fla.*, 36 F.P.E.R. 207 (Fla. Pub. Emp. Rel. Comm'n Gen. Counsel 2010);	Proposed new subdivision (d)(4)(E) provides a citation form for opinions in the Florida Public Employee Reporter.
(F) The Florida Public Service Commission Reporter: *In re: Nuclear Cost Recovery Clause*, 2013 F.P.S.C. no. 10, at 149 (Fla. Pub. Serv. Comm'n 2013);	Proposed new subdivision (d)(4)(F) provides a citation form for opinions in the Florida Public Service Commission Reporter.

(G) The Florida Compensation Reports: *Whitney v. Mercy Hosp.*, 9 F.C.R. 373 (Fla. Indust. Rel. Comm'n 1976);	Proposed new subdivision (d)(4)(G) provides a citation form for opinions in the Florida Compensation Reports.
(H) The Florida Division of Administrative Hearings Reports: *Fla. Real Estate Comm'n v. Warrington*, 39 F.D.O.A.H. 747 (Fla. Real Estate Comm'n 1977); or	Proposed new subdivision (d)(4)(H) provides a citation form for opinions in the Florida Division of Administrative Hearings Reports.
(I) The Florida Administrative Reporter: *Cockrell v. Comptroller*, 12 F.A.R. 192 (Fla. Comptroller 1979).	Proposed new subdivision (d)(4)(I) provides a citation form for opinions in the Florida Administrative Reporter.
(e) Florida Constitution. ~~(Year of adoption should be given if necessary to avoid confusion.)~~	Amends subdivision (e) to remove the language in parentheticals requiring the year of adoption be given. Divides the citations into new subdivisions (e)(1)–(e)(2) as "current provision" and "historical provision" respectively. Provides a citation form for historical provisions of the Florida Constitution.
(1) Current provision: Art. V, § 3(b)(3), Fla. Const.	
(2) Historical provision: Art. III, § 19(c), Fla. Const. (2005).	Updated with a current statute. Divides the citations into new subdivisions (f)(1)–(f)(2).
(f) Florida Statutes (Official).	
(1) § ~~350.34, Fla. Stat. (1973)~~48.031, Fla. Stat. (2014).	Proposed subdivision (f)(2) contains the citation form for the Florida Statutes Supplement.
(2) § 120.53, Fla. Stat. (Supp. 1974).	
(g) Florida ~~Statutes Annotated~~Administrative Code. ~~(To be used only for court-adopted rules, or references to other nonstatutory materials that do not appear in an official~~	The Committee proposes replacing the contents of subdivision (g) with the citation form for Florida Administrative Code. The subdivision title is amended accordingly.

~~publication.)~~ ~~32 Fla. Stat. Ann. 116 (Supp. 1975)~~Fla. Admin. Code R. 62D-2.014 (effective 2007). **(h) Florida Laws.** (Cite if not in ~~Fla. Stat.~~the Florida Statutes or if desired for clarity or adoption reference.) (1) 1997–present: Ch. 2001-01, § 3, Laws of Fla. ~~(1)~~(2) ~~After 1956~~1957–1996: Ch. 74-177, § 5, ~~at 473,~~ Laws of Fla. ~~(2)~~(3) Before 1957: Ch. 22000, 1943 Laws of Fla. ~~(1943)~~172. **(i) Florida Rules.** (1) Florida Rules of Civil Procedure: Fla. R. Civ. P. 1.180. (2) Florida Rules of Civil Procedure for Involuntary Commitment of Sexually Violent Predators: Fla. R. Civ. P.–S.V.P. 4.010. (3) Florida Rules of Judicial Administration: Fla. R. Jud. Admin. 2.110. (4) Florida Rules of Criminal Procedure: Fla. R. Crim. P. 3.850.	Renumbers existing subdivisions (h)(1) and (h)(2) as (h)(2) and (h)(3) respectively. Proposed new subdivision (h)(1) provides the citation form for Florida Laws from 1997–present. In existing subdivision (h)(1), proposed new subdivision (h)(2), is additionally amended to replace "[a]fter 1956" with "1957–1996." Deletes the page number requirement when citing to Laws of Florida. In existing subdivision (h)(2), proposed new subdivision (h)(3), "1943" is moved after the chapter instead of at the end of the citation. In subdivision (i), the Committee proposes listing the full name of the rules sets before the listing of the citation form. Creates new subdivisions (i)(1)–(i)(24) for better organization of the subdivision. Numbers and titles the citation form.

(5) Florida Probate Rules: Fla. Prob. R. 5.120. (6) Florida Rules of Traffic Court: Fla. R. Traf. Ct. 6.165. (7) Florida Small Claims Rules: Fla. Sm. Cl. R. 7.070. (8) Florida Rules of Juvenile Procedure: Fla. R. Juv. P. 8.070. (9) Florida Rules of Appellate Procedure: Fla. R. App. P. 9.100. (10) Florida Rules of Mediation: Fla. R. Med. 10.100. (11) Florida Rules of Arbitration: Fla. R. Arb. 11.010. (12) Florida Family Law Rules of Procedure: Fla. Fam. L. R. P. 12.010. ~~Fla. Admin. Code R. 62D-2.014.~~ (13) Rules Regulating The Florida Bar: R. Regulating Fla. Bar 4-1.10. (14) Florida Judicial Code of Conduct: Fla. Code Jud. Conduct, Canon 4B. (15) Florida Board of Bar Examiners Rules: Fla.	Deletes the citation form to the Florida Administrative Code. Proposed new citation form for the Florida Judicial Code of Conduct. Proposed new citation form for the Florida Board of Bar Examiners.

Bd. Bar Exam. R. II. (16) Florida Bar Foundation By-Laws: Fla. Bar Found. By-Laws, art. 2.19(b). (17) Florida Bar Foundation Charter: Fla. Bar Found. Charter, art. III, § 3.4. (18) Florida Bar Integration Rules: Fla. Bar Integr. R., art. XI, § 11.09. (19) Florida Judicial Qualifications Commission Rules: Fla. Jud. Qual. Comm'n R. 9. (20) Florida Standard Jury Instructions, Civil: Fla. Std. Jury Instr. (Civ.) 601.4. (21) Florida Standard Jury Instructions, Contract and Business: Fla. Std. Jury Instr. (Cont. & Bus.) 416.12. (22) Florida Standard Jury Instructions, Criminal: Fla. Std. Jury Instr. (Crim.) 3.7. (23) Florida Standards Imposing Lawyer Sanctions: Fla. Stds. Imposing Law. Sancs. 9.32(a). (24) Florida Bar Admission Rules: Fla. Bar Admiss. R. 3-23.1. **(j) Florida Attorney General Opinions.**	Proposed new citation form for Florida Standard Jury Instruction in Contracts and Business cases.

Op. Att'y Gen. ~~Fla.~~ 73-178 (Fla. 1973).	Moves "Fla." into the parenthetical with the year. Moves the citation into the same paragraph as the subdivision title.
(k) United States Supreme Court.	
(1) *Sansone v. United States*, 380 U.S. 343 (1965).	Divides subdivision (k) into new subdivisions (k)(1) and (k)(2)(A)–(k)(2)(D) to address United States Supreme Court opinions not published in the United States Reports. Proposed new subdivision (k)(1) would contain the existing citation form "*Sansone v. United States*, 380 U.S. 343 (1965)." Deletes a stray parenthesis. Removes citations from proposed new subdivision (k)(2) and in their place "any of the following:" is suggested.
(2) ~~(~~Cite to United States Reports, if published there~~in~~; otherwise cite to Supreme Court Reporter, Lawyer's Edition, or United States Law Week, in that order of preference. For opinions not published in these reporters, cite to ~~Florida Law Weekly Federal: *California v. Hodari D.*, 13 Fla. L. Weekly Fed. S249 (U.S. Apr. 23, 1991).~~ any of the following:	
(A) the slip opinion: *Frank v. Walker*, No. 14A352 (U.S. Oct. 9, 2014);	Proposed new subdivision (k)(2)(A) would provide the citation form for slip opinions.
(B) Florida Law Weekly Federal: *California v. Hodari D.*, No. 89-1632, 5 FLW Fed. S249 (U.S. Apr. 23, 1991);	Proposed new subdivision (k)(2)(B) would provide the citation form for Florida Law Weekly Federal.
(C) Westlaw: *Otter v. Latta*, No. 14A374, 2014 WL 5025970 (U.S. Oct. 8, 2014); or	Proposed new subdivision (k)(2)(C) would provide the citation form for Westlaw.
(D) LEXIS: *Otter v. Latta*, No. 14A374, 2014 U.S. LEXIS 6732 (U.S. Oct. 8, 2014).	Proposed new subdivision (k)(2)(D) would provide the citation form for LexisNexis.
***(l)* Federal Courts of Appeals.**	Divides subdivision (*l*) into new subdivisions (*l*)(1) and (*l*)(2)(A)–(l)(2)(E) to address Federal Courts of Appeal opinions not published in the Federal Reporter. Proposed new subdivision (*l*)(1) would contain the existing citation form "*Gulf Oil Corp. Bivins*, 276 F.2d 753 (5th Cir. 1960)."
(1) *Gulf Oil Corp. v. Bivins*, 276 F.2d 753 (5th Cir. 1960).	
(2) For opinions not published in the Federal	

Reporter, cite to ~~Florida Law Weekly Federal: *Cunningham v. Zant*, 13 Fla. L. Weekly Fed. C591 (11th Cir. March 27, 1991).~~ any of the following: (A) the slip opinion: *Airtran Airways, Inc. v. Elem*, No. 13-14912 (11th Cir. Sept. 23, 2014); (B) Federal Appendix: *Evans v. McDonald*, 313 F. App'x 256 (11th Cir. 2009); (C) Florida Law Weekly Federal: *Cunningham v. Zant*, No. 90-8165, 5 FLW Fed. C591 (11th Cir. March 27, 1991); (D) Westlaw: *Murphy v. Dulay*, No. 13-14637, 2014 WL 5072710 (11th Cir. Oct. 10, 2014); or (E) LEXIS: *Murphy v. Dulay*, No. 13-14637, 2014 U.S. App. LEXIS 19311 (11th Cir. Oct. 10, 2014).	Removes citations from subdivision (*l*)(2) and in their place "any of the following:" is suggested. Proposed new subdivision (*l*)(2)(A) would provide the citation form for slip opinions. Proposed new subdivision (*l*)(2)(B) would provide the citation form for opinions in the Federal Appendix. Proposed new subdivision (*l*)(2)(C) would provide the citation form for Florida Law Weekly Federal. Proposed new subdivision (*l*)(2)(D) would provide the citation form for Westlaw. Proposed new subdivision (*l*)(2)(E) would provide the citation form for LexisNexis.
(m) Federal District Courts. (1) *Pugh v. Rainwater*, 332 F. Supp. 1107 (S.D. Fla. 1971). (2) For opinions not published in the Federal Supplement, cite to ~~Florida Law Weekly Federal: *Wasko v. Dugger*, 13 Fla. L. Weekly Fed. D183 (S.D. Fla. Apr. 2, 1991).~~ any of the following: (A) the slip opinion: *Slay v. Hess*, No. 5:14-cv-264 (N.D. Fla. Oct. 10, 2014);	Divides subdivision (m) into new subdivisions (m)(1) and (m)(2)(A)–(m)(2)(D) to address opinions not published in the Federal Supplement. Proposed new subdivision (m)(1) would contain the existing citation form "*Pugh v. Rainwater*, 322 F. Supp. 1101 (S.D. Fla. 1971)." Citations are removed from proposed new subdivision (m)(2) and in their place "any of the following;" is suggested. Proposed new subdivision (m)(2)(A) would provide the citation form for slip opinions. Proposed new subdivision (m)(2)(B) would provide the

(B) Florida Law Weekly Federal: *Wasko v. Dugger*, No. 90-312-CIV, 5 FLW Fed. D183 (S.D. Fla. Apr. 2, 1991);	citation form for Florida Law Weekly Federal.
(C) Westlaw: *Taylor v. Bradshaw*, No. 11-80911-CIV, 2014 WL 5325291 (S.D. Fla. Oct. 7, 2014); or	Proposed new subdivision (m)(2)(C) would provide the citation form for Westlaw.
(D) LEXIS: *Taylor v. Bradshaw*, No. 11-80911-CIV, 2014 U.S. Dist. LEXIS 148468 (S.D. Fla. Oct. 7, 2014).	Proposed new subdivision (m)(2)(D) would provide the citation form for LexisNexis.
	Divides the citations into new subdivisions (n)(1)–(n)(2).
(n) United States Constitution.	Subdivision (n)(1) would address the articles of the United States Constitution. Subdivision (n)(2) would address the amendments to the Constitution.
(1) Art. IV, § 2, cl. 2, U.S. Const.	
(2) Amend. V, U.S. Const.	
(*o*) Other Citations. ~~When referring to specific material within a Florida court's opinion, pinpoint citation to the page of the Southern Reporter where that material occurs is optional, although preferred.~~ All other citations shall be in the form prescribed by the Florida Style Manual (available at www.law.fsu.edu/lawreview/florida-style-manual) published by the Florida State University Law Review, Tallahassee, FL 32306. Citations not covered in this rule or in the Florida Style Manual shall be in the form prescribed by the latest edition of The Bluebook: A Uniform System of Citation, The Harvard Law Review Association, Gannett House, Cambridge, MA 02138. ~~Citations not covered in this rule or in The Bluebook shall be in the form prescribed by the Florida Style Manual published by the Florida State University Law Review, Tallahassee, FL 32306.~~	Moves pinpoint language to subdivision (p). Prioritizes the Florida Style Manal over The Bluebook. Provides a website address for the Florida Style Manual.
(p) Case Names; Pinpoint Citations. Case names	Updates subdivision title to include pinpoint citations. Removes parenthesis around italicized. States that pinpoint citations are preferred.

shall be underscored ~~(or italicized)~~ in text and in footnotes. Pinpoint citations are preferred. **Committee Notes** [No change] Amendments to Rule 9.900 (Forms) are shown in Appendix B pursuant to *In Re: Guidelines for Rules Submissions*, No. AOSC06-14 (Fla. 2006).	