

**RULES OF GENERAL PRACTICE AND JUDICIAL
ADMINISTRATION COMMITTEE'S
PROPOSED REVISIONS TO WORKGROUP PROPOSALS**

RULE 2.215. TRIAL COURT ADMINISTRATION

(a)–(e) [NO CHANGE]

(f) Duty to Rule within a Reasonable Time. Every judge has a duty to ~~rule upon and announce~~enter an order or judgment on every matter submitted to that judge within a reasonable time. ~~Each judge shall maintain a log of cases under advisement and inform the chief judge of the circuit at the end of each calendar month of each case that has been held under advisement for more than 60 days.~~

(1) Ruling.

(A) Unless another rule of procedure requires a different timeframe, a judge shall must enter an order or judgment on all matters submitted to the judge for determination after a trial within 60 days afterof the date the trial concluded or post-trial submissions were filed, whichever is later.

(B) Unless another rule of procedure requires a different timeframe, a judge shall must enter an order on a motion within 60 days afterof the later of:

(i) the date the motion was argued, if oral argument is conducted;

(ii) the date a request for decision was filed;

(iii) the date a notice dispensing with oral argument was filed; or

(iv) the date an order dispensing with oral argument was entered.

(2) Reporting.

(A) Each judge shall must report to the chief judge matters under subdivision (1) that have not been ruled upon within the applicable time periods. Promptly after the effective date of this rule, the chief judge of each circuit shall must by administrative order set a reasonable deadline for initial reporting under this subdivision for use throughout the circuit. The chief judge shall must confer with the judge who has any motion or judgment pending beyond the applicable time period and shall must determine the reasons for the delay on the rulings. If the chief judge determines there is just cause for the delay, the reporting judge shall must provide the chief judge with a status report on the matter 60 days after the date of chief judge's determination, and, if the matter remains pending, the chief judge shall must again review the matter under this subdivision. If, upon initial or subsequent notification, the chief judge determines that there is no just cause for the delay, the chief judge shall must seek to rectify the delay within 60 days. If the delay is not rectified within 60 days, the chief judge shall must report the delay to the chief justice. Just cause for delays over 60 days shall includes situations in which a large volume of evidence requires additional time to review.

(B) All reports shall must be filed with the clerk by the reporting judge upon submission to the chief judge.

(g)-(i) [NO CHANGE]

RULE 2.250. TIME STANDARDS FOR TRIAL AND APPELLATE COURTS AND REPORTING REQUIREMENTS

(a) Time Standards. The following time standards are hereby established as a presumptively reasonable time period for the completion of cases in the trial and appellate courts of this state. Periods during which a case is on inactive status shall be excluded from the calculation of the time periods set forth herein. It is recognized that there are cases that, because of their complexity, present problems that cause reasonable delays. However, most cases should be completed within the following time periods:

(1) Trial Court Time Standards.

(A) [NO CHANGE]

(B) Civil.

Complex cases—30 months (from date of service of initial process on the last defendant or 120 days after filing, whichever occurs first, to final disposition)

JuryOther jury cases—18 months (filingfrom date of service of initial process on the last defendant or 120 days after filing, whichever occurs first, to final disposition)

Other nonjuryNon-jury cases—12 months (filingfrom date of service of initial process on the last defendant or 120 days after filing, whichever occurs first, to final disposition)

Small claims cases—95 days (filing to final disposition, unless 1 or more rules of civil procedure are invoked that eliminate the deadline for trial under rule 7.090(d), in which event the "complex," "other jury," or "other nonjury" deadline shall apply, as appropriate to the case)

(C)–(G) [NO CHANGE]

(2)–(4) [NO CHANGE]

(b) Reporting of Cases.

(1) Quarterly Reports. The time standards require that the following monitoring procedures be implemented:

All pending cases in circuit and district courts of appeal exceeding the time standards ~~shall~~must be listed separately on a report submitted quarterly to the chief justice. The report ~~shall~~must include for each case listed the case number_; type of case_; case status (active or inactive for civil cases and contested or uncontested for domestic relations and probate cases)_; the date of arrest in criminal cases_; the date of shelter or detention in juvenile cases; and the original filing date in civil, domestic relations, probate, and juvenile cases. The Office of the State Courts Administrator ~~will~~must provide the necessary forms for submission of this data. The report ~~will be~~is due on the 15th day of the month following the last day of the quarter.

(2) Annual Report of Pending Civil Cases.

(A) By the last business day of July of every year, the chief judge of each circuit shall~~shall~~must serve on the chief justice and the state courts administrator a report of the status of the docket of the general civil division of that circuit, including both circuit and county courts, for the preceding fiscal year. The Office of the State Courts Administrator ~~shall~~must provide the necessary forms for submission of this data. The report ~~shall~~must, at a minimum, include the following:

(i) a list of all civil cases, except cases on inactive status, by case number and style, grouped by county, court level (circuit or county), division, and assigned judge, pending in that circuit 3 years or more from the filing of the complaint or other case-initiation filing as of the last day of the fiscal year;

(ii) a reference as to whether each such case appeared on the previous fiscal year's report and, if so, whether the same or a different judge was responsible for the case as of the previous fiscal year's report; and

(iii) a reference as to whether an active case management order is in effect in the case.

(B) Cases that must remain confidential by statute, court rule, or court order ~~shall~~ must be included in the report, anonymized by an appropriate designation. The Office of the State Court Administrator ~~shall~~ must devise a designation system for such cases that enables the chief judge and the recipients of the report to identify cases that appear on a second or subsequent annual report.

(C) The reporting requirement of subdivision (A) ~~shall~~ will take effect on July 1, 2024, for the fiscal year running from July 1, 2023, to June 30, 2024.

RULE 2.546. ACTIVE AND INACTIVE CASE STATUS

(a) Change to Inactive Status. ~~The parties shall~~must promptly file a motion to place a case on inactive status when a case pending in a trial court is required to be stayed, including, but not limited to, when a court has imposed a stay or when a stay is imposed by operation of federal bankruptcy law. A party may move to place a case on inactive status for other reasons if extraordinary circumstance's exist. A case must not be placed on inactive status pending an appellate ruling in a separate unrelated case unless the appellate ruling will be dispositive or other extraordinary circumstances exist. ~~Absent a stipulation by the parties that a pending appellate ruling in another case is dispositive of an entirely separately filed case at the trial level not subject to appellate review, the trial case shall not be placed on inactive status pending resolution of the appellate case absent extraordinary circumstances.~~

(b) Removal of Designation as Inactive. ~~The parties shall~~must file a motion to remove a case's "inactive" status within 30 days after an event occurs that makes it unnecessary. A party may move to restore a case to active status when otherwise permissible. A party that fails to timely inform the court that a case's "inactive" status has become unnecessary may be subject to sanctions, including dismissal of the action or the striking of pleadings.

(c) Service; Order upon Change of Status. ~~All motions filed under this rule shall~~must be served on the presiding trial judge at the time of filing. Notwithstanding any other rule of procedure, the court shall within 30 days ~~after~~of service of the motion issue an order placing the case on the appropriate status (with the reason for the placement cited in the order) or denying the motion. The court ~~shall~~must order a change to a case's "active" or "inactive" status pursuant to a motion filed under subdivision (a) or (b) when the motion definitively establishes a basis for the change. Upon issuance of an order changing the case status, the clerk ~~shall~~must promptly adjust the status in the docket.

(d) Deadlines Tolloed. All deadlines in a case management order issued under rule 1.200 or 1.201 ~~shall~~ must be tolled from the date an order is entered placing the case on inactive status until the date an order is entered restoring the case to active status.

2021 Commentary

This new rule is being implemented to clarify the roles of the respective players—the parties (or attorneys), the judge, and the clerk in ensuring a case’s status is accurately designated as—under Fla. Admin. Order No. AOSC14-20 (Mar. 26, 2014), which defines case events and case statuses, including “active” and/or “inactive.” Under the rule, the primary burden is on the parties to keep the court and thus the clerk updated on the status of their case, and it is the responsibility of the clerk to ensure that the status of the case is properly reflected in the case management system.

The last sentence of subdivision (a) governs the active or inactive status of cases not on appellate review that entail issues similar or identical to those of a separate case pending in an appellate court. This sentence ~~The subdivision~~ does not govern apply the active or inactive status in the trial court of a cases that is on appellate review.

RULE 2.550. CALENDAR CONFLICTS

(a)–(b) [NO CHANGE]

(c) Notice and Agreement; Resolution by Judges. When an attorney is scheduled to appear in 2 courts at the same time and cannot arrange for other counsel to represent the clients' interests, the attorney ~~shall~~must give prompt written notice of the conflict to opposing counsel or self-represented party, the clerk of each court, and the presiding judge of each case, if known. If the presiding judge of the case cannot be identified, written notice of the conflict ~~shall~~must be given to the chief judge of the court having jurisdiction over the case, or to the chief judge's designee. The judges or their designees ~~shall~~must confer and ~~undertake to avoid~~resolve the conflict by agreement among themselves. ~~Absent agreement, conflicts should be promptly resolved by the judges or their designees in accordance with the above case guidelines.~~