

# Supreme Court of Florida

No. AOSC18-39

IN RE: WORK GROUP ON COUNTY COURT JURISDICTION

## ADMINISTRATIVE ORDER

Article V, section 6, of the Florida Constitution provides that “the county courts shall exercise the jurisdiction prescribed by general law” and that “such jurisdiction shall be uniform throughout the state.” Section 34.01, Florida Statutes, states that county courts shall have original jurisdiction of certain cases including “all actions at law in which the matter in controversy does not exceed the sum of \$15,000, exclusive of interest, costs, and attorney’s fees, except those cases within the exclusive jurisdiction of circuit courts.” The jurisdictional limit for county court has not been adjusted since 1992.

In order to provide for the efficient and inexpensive resolution of simple civil disputes, the Florida Supreme Court adopted the Florida Small Claims Rules, which “are applicable to all actions of a civil nature in the county courts which contain a demand for money or property, the value of which does not exceed \$5,000, exclusive of interest, costs, and attorney’s fees, except those within the

exclusive jurisdiction of the circuit courts.” See rule 7.010(b), Fla. Sm. Cl. R. The jurisdictional limit for small claims cases has not been adjusted since 1996.

The Supreme Court of Florida has determined a need exists to review the county court and small claims jurisdictional limits and to examine the operational issues that would be affected if those limits were adjusted.

The Judicial Management Council serves as a focused advisory body that assists the chief justice and the Court. The Council is charged, among other responsibilities, with identifying and evaluating information that would assist in improving the performance and effectiveness of the judicial branch. Additionally, Florida Rule of Judicial Administration 2.225 encourages the chief justice and Court to consider referring significant issues with judicial branch policy implications to the Council prior to the creation of any new committees.

Therefore, the Work Group on County Court Jurisdiction (hereinafter “Work Group”) is hereby established within the Judicial Management Council. The Work Group shall:

1. Evaluate whether the county court jurisdiction limit should be adjusted, the appropriate amount of any such adjustment, and whether there should be periodic adjustments in the future. The Work Group should also examine operational issues associated with a change in the jurisdiction of county courts and the related effects of any such

change, including but not limited to consideration of facilities resources, docket management, and assignment of cases.

2. Examine appellate operational and structural issues that would be impacted by adjustments to county court jurisdiction, including but not limited to consideration of whether appeals on cases with amounts in controversy exceeding \$15,000 should continue to be adjudicated by the district courts of appeal.
3. Evaluate whether the small claims jurisdiction limit should be adjusted, the appropriate amount of any such adjustment, and whether there should be periodic adjustments in the future. The Work Group should also explore any technology or other options that may enhance access to justice in small claims cases. The Work Group should make recommendations for next steps, which may include one or more pilot projects including but not limited to on-line dispute resolution or other process improvement measures.

The Work Group shall perform its responsibilities consistent with The Long-Range Strategic Plan for the Florida Judicial Branch 2016-2021, including but not limited to Long-Range Issue 1 (Deliver Justice Effectively, Efficiently, and Fairly) and Issue 4 (Modernize the Administration of Justice and Operation of Court Facilities).

The Work Group shall complete its findings and recommendations no later than November 30, 2018. Prior to submitting its report to the Judicial Management Council, the Work Group shall present its findings and recommendations to the Trial Court Budget Commission, the Commission on Trial Court Performance and Accountability, and the Commission on District Court of Appeal Performance and Accountability for comment. Consistent with its procedures, the Council will submit the Work Group's report, along with the Council's comments and recommendations, to the chief justice through the state courts administrator.

The following persons are appointed to serve on the Work Group for a term that expires on June 30, 2019:

Three district court of appeal judges:

The Honorable Norma S. Lindsey  
Appellate Judge, Third District Court of Appeal

The Honorable Robert Morris  
Appellate Judge, Second District Court of Appeal  
Member, Judicial Management Council

The Honorable Vance E. Salter  
Appellate Judge, Third District Court of Appeal  
Chair, Commission on District Court of Appeal  
Performance and Accountability

Four circuit court judges:

The Honorable Angela J. Cowden  
Circuit Court Judge, Tenth Judicial Circuit  
Chair-Elect, Florida Conference of Circuit Judges

The Honorable Frederick J. Lauten  
Chief Judge, Ninth Judicial Circuit  
Member, Trial Court Budget Commission

The Honorable Diana Moreland  
Circuit Court Judge, Twelfth Judicial Circuit  
Chair, Commission on Trial Court Performance and Accountability  
Ex Officio Member, Trial Court Budget Commission

The Honorable Jonathan Sjostrom  
Chief Judge, Second Judicial Circuit

Ten county court judges:

The Honorable Paul Alessandroni  
County Court Judge, Charlotte County  
Member, Commission on Trial Court Performance and Accountability

The Honorable Gina Beovides  
County Court Judge, Miami-Dade County

The Honorable Frank S. Castor  
County Court Judge, Palm Beach County

The Honorable David Denkin  
County Court Judge, Sarasota County  
President, Conference of County Court Judges of Florida  
Ex Officio Member, Trial Court Budget Commission

The Honorable Josephine Gagliardi  
County Court Judge, Lee County

The Honorable David W. Green  
County Court Judge, Walton County

The Honorable Edwin Jagger  
County Court Judge, Pinellas County

The Honorable Robert W. Lee  
County Court Judge, Broward County  
Member, Judicial Management Council

The Honorable James McCune  
County Court Judge, Marion County

The Honorable Frances M. Perrone  
County Court Judge, Hillsborough County

Two trial court administrators:

Ms. Holly Elomina  
Trial Court Administrator, Sixteenth Judicial Circuit  
Member, Trial Court Budget Commission  
Member, Commission on Trial Court Performance and Accountability

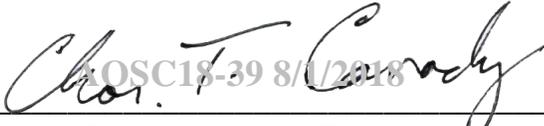
Ms. Sandra Lonergan  
Trial Court Administrator, Eleventh Judicial Circuit  
Member, Trial Court Budget Commission

The Honorable Robert Morris shall serve as chair to the Work Group. Staff support shall be provided by the Office of the State Courts Administrator.

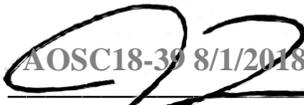
The Work Group may function as a committee comprised of all members or as one or more subcommittees to consider specific issues. The chair is authorized to establish one or more subcommittee as may be required to effectuate the Work Group's charges. Moreover, the chair may recommend, for the Chief Justice's consideration, the appointment of persons, as ad hoc subcommittee members, who are not members of the Work Group but whose input may be required on selected issues.

The Work Group must be cognizant of the limitations on the resources available to support its efforts as it develops a work plan that will accomplish the important tasks assigned in this administrative order. With regard to meetings, the Work Group and any subcommittees should strive to utilize the most economical means appropriate to the type of work being accomplished.

DONE AND ORDERED at Tallahassee, Florida, on August 1, 2018.

  
AOSC18-39 8/1/2018  
\_\_\_\_\_  
Chief Justice Charles T. Canady  
AOSC18-39 8/1/2018

ATTEST:

  
AOSC18-39 8/1/2018  
\_\_\_\_\_  
John A. Tomasino, Clerk of Court  
AOSC18-39 8/1/2018

