

## **APPENDIX A**

## Appellate Court Rules Committee Proposed 2008 Amendments

The Appellate Court Rules Committee invites comment on the proposed three-year cycle amendments to the Florida Rules of Appellate Procedure. The full text of the proposals can be found on The Florida Bar's Web site at [www.floridabar.org](http://www.floridabar.org). The proposed amendments will be filed with the court by February 1, 2008. Under Fla.R.Jud.Admin. 2.140(b)(2), interested persons have until August 1 to submit comments electronically to Chair Steven L. Brannock, at [steve.brannock@hklaw.com](mailto:steve.brannock@hklaw.com).

RULE/FORM	VOTE	EXPLANATION
9.010	N/A	Scrivener's change to correct cross-reference.
9.050	35-2	New rule protecting privacy of personal data by excluding or redacting certain information from briefs, petitions, replies, motions, and responses.
9.130(a)(3)(C)(iv)	36-2	Provides for a nonfinal appeal of an order determining a party's entitlement to an appraisal under an insurance policy.
9.130(a)(5)	29-12	Clarifies that motions for rehearing directed to orders under the rule will not toll the time for filing a notice of appeal.
9.200(a)(3)	N/A	Scrivener's change to correct cross-reference.
9.210(a)(5)	40-0	Clarifies that tables of citations and certificates of service and compliance are excluded from brief page computation.
9.310(b)(2)	48-0	Eliminates an inconsistency with F.S. Chapter 120, and clarifies that no automatic stay may be had when a notice for stay is filed in administrative actions under the Administrative Procedure Act, when public bodies or public officers seek review.
9.330(d)	39-0	Prohibits motions for clarification addressing three specified circumstances to reflect the holding in <i>Jackson v. State</i> , 926 So.2d 1262 (Fla. 2006).
9.430	40-0	Changes to reflect different treatment of original proceedings from appeals under this rule and changes to conform rule to statutory and Supreme Court forms changes. Scrivener's change to correct cross-reference.
9.600(d)	N/A	Scrivener's change to correct cross-reference.
9.900(j)	40-0	Changes to conform to Supreme Court forms changes.

## Notice

### Proposed amendments to the Appellate Rules

The Appellate Court Rules Committee has published and invited comment on its proposed three-year cycle amendments to the Florida Rules of Appellate Procedure. The below are two additional proposals. The full text of the proposals can be found on The Florida Bar's Web site at [www.floridabar.org](http://www.floridabar.org). The proposed amendments will be filed with the court by February 1, 2008. Under Fla.R.Jud.Admin. 2.140(b)(2), interested persons have until September 1 to submit comments electronically to Steven L. Brannock, chair, [steve.brannock@hklaw.com](mailto:steve.brannock@hklaw.com).

RULE/FORM	VOTE	EXPLANATION
9.140(c)(3)	N/A	Scrivener's change to correct cross-reference.
9.370	40-1	Adds a new subdivision to allow potential amici, when a party has invoked the discretionary jurisdiction of the Supreme Court, to file a notice of intent to file an amicus brief on the merits should the court accept jurisdiction.

# Notice

## Proposed Appellate Court Rules amendments

The Appellate Court Rules Committee published and invited comment on its proposed three-year cycle amendments to the Florida Rules of Appellate Procedure on July 1, (comments due August 1), and two additional proposals on August 1, (comments due September 1). Below are two more proposals (9.130(a)(3)(C)(ii) and 9.130(a)(5)) to be filed with the ACRC's three-year cycle proposals on February 1, 2008. The third proposal (9.130(a)(3)(C)(iii)) will be filed as an out-of-cycle report. All three were previously published as part of the ACRC's 2006 regular cycle report but were not reviewed by the Supreme Court because of a then-pending study. The study having been completed, the proposed amendments are now ripe for review. The full text of the proposals can be found on The Florida Bar's Web site at [www.floridabar.org](http://www.floridabar.org). Under Fla.R.J.Admin. 2.140(b)(2), interested persons have until September 15 to submit comments electronically to Steven L. Brannock, chair, at [steve.brannock@hklaw.com](mailto:steve.brannock@hklaw.com) concerning these three proposals.

RULE/FORM	VOTE	EXPLANATION
9.130(a)(3)(C)(ii)	39-0	Allows appeals from nonfinal orders granting, modifying, dissolving, or refusing to grant, modify, or dissolve writs of replevin, garnishment or attachment.
9.130(a)(3)(C)(iii)	32-14	Authorizes appeals in dependency and termination of parental rights cases of a nonfinal order determining the right to child custody.
9.130(a)(5)	48-0	Clarifies 9.130(a)(5) by referencing the right to immediate review of any authorized motion for relief from judgment rather than specifically identifying a particular rule.

# Notice

## Appellate Court Rules amendments

The Appellate Court Rules Committee invites comment on the revision of a proposed three-year cycle amendment to the Florida Rules of Appellate Procedure. The full text of the proposal can be found on The Florida Bar's Web site at [www.floridabar.org](http://www.floridabar.org). This revision, as well as the proposed amendments previously published, will be filed with the court by February 1, 2008. Under Fla.R.Jud.Admin. 2.140(b)(2), interested persons have until November 1 to submit comments electronically concerning this revision to Steven L. Brannock, chair, at [steve.brannock@hklaw.com](mailto:steve.brannock@hklaw.com).

RULE/FORM	VOTE	EXPLANATION
9.050	41-8	New rule protecting privacy of personal data by not including certain information in briefs, petitions, replies, motions, notices, responses, and attachments.

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