

The Florida Supreme Court recently adopted amendments to Florida Rule of Civil Procedure Form 1.918 (Lis Pendens) recommended by the Civil Procedure Rules Committee (committee) to implement recent legislation. See In re: Amendments to the Florida Rules of Civil Procedure, No. SC09-1358 (Fla. Oct. 1, 2009).

The Court invites all interested persons to comment on the amendments, which are reproduced in full below, as well as online at <http://www.floridasupremecourt.org/decisions/proposed.shtml>. An original and nine paper copies of all comments must be filed with the Court on or before November 30, 2009, with a certificate of service verifying that a copy has been served on the committee chair, Mark Romance, 201 S. Biscayne Blvd, Suite 1000, Miami, Florida 33131-4327, as well as separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. The committee chair has until December 21, 2009, to file a response to any comments filed with the Court. Electronic copies of all comments and responses also must be filed in accordance with the Court's administrative order In re Mandatory Submission of Electronic Copies of Documents, Fla. Admin. Order No. AOSC04-84 (Sept. 13, 2004).

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO THE FLORIDA RULES OF CIVIL PROCEDURE,
CASE NO. SC09-1358

FORM 1.918. LIS PENDENS

NOTICE OF LIS PENDENS

TO DEFENDANT(S), AND ALL OTHERS WHOM IT MAY CONCERN:

YOU ARE NOTIFIED OF THE FOLLOWING:

(a) ~~The plaintiff has instituted of the institution of this action by the plaintiff against you seeking ("to foreclose a mortgage on" or "to partition" or "to quiet title to" or other type of action) the following property in County, Florida; with respect to the property described below;~~

(b) The plaintiff(s) in this action is/are:

(1)

(2)

(c) The date of the institution of this action is
OR: the date on the clerk's electronic receipt for the action's filing is
OR: the case number of the action is as shown in the caption.

(d) The property that is the subject matter of this action is in County,
Florida, and is described as follows:

(legal description of property)

DATED on

Attorney for
.....
.....
Address
Florida Bar No.

NOTE: This form is not to be recorded without the clerk's case number.

Committee Notes

2009 Amendment. This form was substantially rewritten due to the amendments to section 48.23, Florida Statutes (2009). Section 48.23 provides that the notice must contain the names of all of the parties, the name of the court in which the action is instituted, a description of the property involved or affected, a description of the relief sought as to the property, and one of the following: the date of the institution of the action, the date of the clerk's electronic receipt, or the case number. If the case number is used to satisfy the requirements of section 48.23, it should be inserted in the case caption of the notice.