

The Florida Bar's Appellate Court Rules Committee (committee) has filed with the Florida Supreme Court an out-of-cycle report of proposed amendments to the Florida Rules of Appellate Procedure. The committee proposes amendments to rules 9.120 (Discretionary Proceedings to Review Decisions of District Courts of Appeal); 9.130 (Proceedings to Review Non-Final Orders and Specified Final Orders); 9.146 (Appeal Proceedings in Juvenile Dependency and Termination of Parental Rights Cases and Cases Involving Families and Children in Need of Services); 9.180 (Appeal Proceedings to Review Workers' Compensation Cases); 9.200 (The Record); 9.210 (Briefs); 9.300 (Motions); and 9.370 (Amicus Curiae).

The Court invites all interested persons to comment on the committee's proposed amendments, which are summarized below and reproduced in full 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 April 3, 2006, with a certificate of service verifying that a copy has been served on the Committee Chair, Jack R. Reiter, 2525 Ponce De Leon Blvd., Suite 400, Miami, Florida 33134, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case for June. The Committee Chair has until April 18, 2006, to file a response to any comments filed with the Court. Further, if comments are directed toward the proposed amendment to rule 9.130(a)(3)(C)(ii), the certificate of service shall also verify that a copy has been served on the proponent of the amendment, Gregory Grossman, 701 Brickell Ave., 16th Floor, Miami, Florida 33131. If comments are directed toward the proposed amendment to rule 9.130(a)(3)(C)(iii), the certificate of service shall also verify that a copy has been served on the proponent of the amendment, Ryan Thomas Truskoski, P.O. Box 568005, Orlando, Florida 32856-8005. If comments are directed toward the proposed amendment to rule 9.200(a)(2), the certificate of service shall also verify that a copy has been served on the proponent of the amendment, Honorable Stevan T. Northcutt, Second District Court of Appeal, 1700 N. Tampa Street, Suite 300, Tampa, Florida 33602-2648. If comments are directed toward the proposed amendment to rule 9.200(b)(2), the certificate of service shall also verify that a copy has been served on the proponent of the amendment, Rebecca Mercier-Vargas, 501 S. Flagler Dr., Suite 503, West Palm Beach, Florida 33401-5913. If comments are directed toward the proposed amendment to rule 9.370(c), the certificate of service shall also verify that a copy has been served on the proponent of the amendment, Honorable Winifred J. Sharp, Fifth District Court of Appeal, 300 S. Beach Street, Daytona Beach, Florida 32114-5002. Electronic copies of all comments also must

be filed in accordance with 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 APPELLATE
PROCEDURE (OUT OF CYCLE), CASE NO. SC06-159

PROPOSED AMENDMENTS

RULE	CHANGES
9.120(d)	Deletes language to permit jurisdictional briefs in certified question and conflict cases.
9.130(a)(3)(C) (ii)	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)	Authorizes appeals in dependency and termination of parental rights cases of a nonfinal order determining the right to child custody.
9.130(a)(5)	Clarifies rule by referencing the right to immediate review of any authorized motion for relief from judgment rather than specifically identifying a particular rule.
9.146(b)	Changes title to clarify who may take an appeal in matters covered by rule, and confirms that the rule does not provide a basis for independent jurisdiction beyond those orders specified in rule 9.130.
9.180(f)(5)(A); (g)(3)(A) and (D)	Redaction from the rule's subdivisions references to a Workers' Compensation Procedure rule that has been repealed.
9.180(f)(5)(E)	Housekeeping changes.
9.200(a)(2)	Provides that orders and judgments remain with the trial court, with copies to the appellate court as part of the record, in dependency and termination of parental rights cases, as well as cases involving families and children in need of services. This is consistent with the treatment of these orders in family law cases.
9.200(b)(2)	Requires court reporters to include an electronic version of each transcript with each transcript designated for inclusion in the record on appeal.
9.210(a)(5)	Limits the page number of briefs when cross-appeals are filed to 85.
9.300(d)(10)	Eliminates the requirement that a litigant seeking an extension of time in the Supreme Court also file a separate request to toll time.
9.370(c)	Clarifies that amicus briefs are permitted in extraordinary writ proceedings. Provides internal consistency and explains that

	service of amicus briefs does not alter or extend the briefing deadlines of the parties.
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