

Proposed Rule

Reason for Change

RULE 2.205. THE SUPREME COURT

(a) [No change]

(b) Clerk.

(1)–(4) [No change]

(5) **Issuance of Mandate; Recordation and Notification.** The clerk shall issue such mandates or process as may be directed by the court. If, within 120 days after a mandate has been issued, the court directs that a mandate be recalled, then the clerk shall recall the mandate. Upon the issuance or recall of any mandate, the clerk shall record the issuance or recall in a book or equivalent electronic record kept for that purpose, in which the date of issuance or date of recall and the manner of transmittal of the process shall be noted. In proceedings in which no mandate is issued, upon final adjudication of the pending cause the clerk shall transmit to the party affected thereby a copy of the court's order or judgment. The clerk shall notify the attorneys of record of the issuance of any mandate, the recall of any mandate, or the rendition of any final judgment. The clerk shall furnish without charge to all attorneys of record in any cause a copy of any order or written opinion rendered in such action.

(6) [No change]

(c)–(g) [No change]

Amended to conform to Section 10, Chapter 2013-25, Laws of Florida, by adding provisions for recall of mandate.

RULE 2.210. DISTRICT COURTS OF APPEAL

(a) [No change]

(b) Clerk.

(1)-(3) [No change]

(4) **Issuance of Mandate; Recordation and Notification.** The clerk shall issue such mandates or process as may be directed by the court. If, within 120 days after a mandate has been issued, the court directs that a mandate be recalled, then the clerk shall recall the mandate. If the court directs that a mandate record shall be maintained, then upon the issuance or recall of any mandate the clerk shall record the issuance or recall in a book or equivalent electronic record kept for that purpose, in which shall be noted the date of issuance or the date of recall and the manner of transmittal of the process. In proceedings in which no mandate is issued, upon final adjudication of the pending cause the clerk shall transmit to the party affected thereby a copy of the court's order or judgment. The clerk shall notify the attorneys of record of the issuance of any mandate, the recall of any mandate, or the rendition of any final judgment. The clerk shall furnish without charge to all attorneys of record in any cause a copy of any order or written opinion rendered in such action.

(5) [No change]

(c)–(e) [No change]

Amended to conform to Chapter 2013-25, Laws of Florida, by adding provisions for recall of mandate.

RULE 9.340.

MANDATE

(a) Issuance of Mandate. Unless otherwise ordered by the court or provided by these rules, the clerk shall issue such mandate or process as may be directed by the court after expiration of 15 days from the date of an order or decision. A copy thereof, or notice of its issuance, shall be served on all parties. The court may direct the clerk to recall the mandate, but not more than 120 days after its issuance.

(b)-(c) [No change]

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Committee Notes

[No change]

Amended to conform to Chapter 2013-25, Laws of Florida, by adding a provision for recall of mandate.