

Supreme Court of Florida

No. AOSC13-27

IN RE: FORECLOSURE INITIATIVE TRAINING

ADMINISTRATIVE ORDER

The national mortgage foreclosure crisis continues to affect borrowers, lenders, and the economy in Florida. At the height of the foreclosure crisis, filings in Florida's state courts soared to 400,000 cases in one year, compared to an average of about 70,000 case filings per year before the crisis. With new cases being filed faster than the courts could resolve them, a backlog developed. As of February 28, 2013, an estimated 358,000 mortgage foreclosure cases remained pending in Florida courts.

In mortgage foreclosure proceedings, as with all types of cases, courts are obligated to ensure that the rights of parties are protected and the integrity of the judicial process is maintained. Judges and lawyers also have a professional obligation to conclude litigation as soon as is reasonably and justly possible. On April 10, 2013, the Trial Court Budget Commission submitted the Final Report and Recommendations of the Foreclosure Initiative Workgroup. That report includes recommendations for both increased judicial resources and process improvements.

The purpose of the mortgage foreclosure initiative is to ensure the timely and just resolution of mortgage foreclosure cases. Successful implementation of the initiative will require judges, general magistrates, and case managers to implement case management procedures with new personnel, technology resources, performance measures, and reporting requirements.

Statewide Training for Circuit Teams

It is hereby ordered that training and education be provided for judges, magistrates, and case managers to ensure that they have the essential information and skills to fulfill their duties with regard to implementation of the mortgage foreclosure initiative. The Chair of the Trial Court Budget Commission shall select a faculty-trained judge, who shall collaborate with Court Education within the Office of the State Courts Administrator on the development and presentation of a training program for a core team from each circuit. This training program shall be conducted as soon as is practicable, but no later than the Fall of 2013.

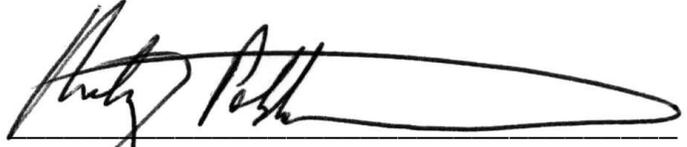
In accordance with the Workgroup's recommendation, the core team for each circuit is to be comprised of at least one circuit civil judge and one case manager, along with at least one senior judge and one general magistrate if the circuit plans to use those resources to hear foreclosure cases. It is expected that these core teams will fulfill a leadership role as the circuits implement case management procedures on the local level.

Education for New Magistrates

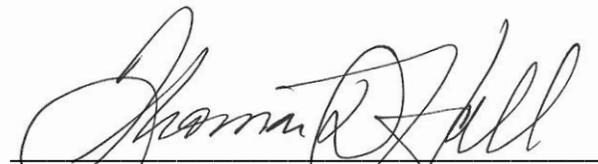
It is anticipated that the mortgage foreclosure initiative may result in 50 to 100 general magistrates being added to the court system workforce in 2013. In accordance with *In re: 2013 Florida Judicial College*, Administrative Order No. AOSC12-53 (Fla. Oct. 9, 2012), new general magistrates are required to attend both phases of the Florida Judicial College within their first year of service as a general magistrate. As recommended by the Workgroup, general magistrates who are assigned to hear residential mortgage foreclosure cases exclusively are hereby exempted from the requirement to participate in the Florida Judicial College. This exemption expires if the magistrate becomes a permanent employee of the State Courts System or begins handling proceedings other than foreclosure cases, at which point the magistrate will be required to attend the next regularly scheduled Florida Judicial College.

Furthermore, Court Education within the Office of the State Courts Administrator is directed to develop a condensed version of the Florida Judicial College general magistrate education program and present such program in conjunction with the circuit core team training mandated hereinabove.

DONE AND ORDERED at Tallahassee, Florida, on June 21, 2013.


Ricky Polston, Chief Justice

ATTEST:


Thomas D. Hall, Clerk of Court

