

Changes in Florida Rules of Civil Procedures

The following relates to changes in Florida Rules of Civil Procedures, effective January 1, 2010. To help you with these changes, we have placed instructions and forms on our website at www.SarasotaClerk.com, in the Forms section, *Civil Forms*.

On May 28, 2009, The Supreme Court released opinion SC08-1141 regarding the implementation of rules involving complex litigation cases (IN RE: Amendments to the Florida Rules of Civil Procedure – Management of Cases Involving Complex Litigation, SC08-1141). Subsequently, on 10/15/2009, the Court released a supplement to this opinion (<http://www.floridasupremecourt.org/decisions/2009/sc08-1141a.pdf>), which revised certain forms and provided a new Family Law Form. These forms significantly redefine the categories for civil and family cases, and began to be used starting 01/01/2010.

We have made instructions and the forms available to you on our website with the hope that having these forms readily available, electronically, will assist you in meeting your obligations under the revised court rules.

Below is a brief recap of some of the changes:

1. Two sections of the Final Disposition Form, dismissed after hearing and dismissed before hearing, now have 3 subcategories – dismissed pursuant to settlement, dismissed pursuant to mediated settlement, and other.
2. The Civil Cover Sheet has many new subcategories to case types:
 - a. Professional malpractice is now broken down into malpractice business, malpractice medical, and malpractice other professional.
 - b. Construction liens are no longer reported as contract and indebtedness and are now reported under real property.
 - c. Other negligence is now broken down into business governance, business torts, environmental/toxic tort, third party indemnification, construction defect, mass tort, negligent security, nursing home negligence, premises liability commercial, premises liability residential, and other.
 - d. Real property/mortgage foreclosure is now broken down by value into commercial foreclosure, homestead residential foreclosure, non-homestead residential foreclosure, and other real property actions.
 - e. Other civil is now broken down into antitrust/trade regulation, business transaction, constitutional challenge – statute or ordinance, constitutional challenge – proposed amendment, corporate trusts, discrimination, insurance claims, intellectual property, libel/slander, shareholder derivative action, securities litigation, trade secrets, trust litigation, and other.
3. The new Family Law Cover Sheet also provides for new categories:
 - a. All four types of domestic violence cases – domestic, repeat, dating and sexual.
 - b. Support IV-D, Support non-IV-D, UIFSA IV-D, and UIFSA non-IV-D.
 - c. Adoptions arising from Chapter 63.
 - d. Name Change.
 - e. Paternity/Disestablishment of Paternity.

As always, I am thankful for the partnership between this office and the Sarasota County Bar Association, the legal community and the Docket readership. If you have any concerns, comments or questions about the Clerk's office, I welcome your input. Please contact me via clerkinfo@scgov.net or by calling my office at 941 861-7606. ###