

JUDICIAL RELATIONS COMMITTEE MEETING

FEBRUARY 13, 2019-MINUTES

Meeting was called to order at 12:25 pm by Judge Eric DuBois, with thirty-four (34) attorneys and judges in attendance.

I. **UPDATES**

A. Judge J. Cohen, 5th District Court of Appeal reported that appellate filings are down. The recent administrative order regarding stipulated continuances and effectively limiting the number of extensions of time to file briefs, was explained by **Judge Rand Wallis** as stemming from a recognition of Marcy's Law and the expectation that all appeals be concluded within two (2) years. The Courts recognize that this is not always possible but reducing the number of continuances granted may bring more cases to resolution within the two-year period.

B. Judge Eric DuBois reported for Judge Fred Lauten that certification was made for two more circuit court judges in the 9th Judicial Circuit, but no certification was made for county court judges. Attorneys are requested to contact their clients and other attorneys, requesting that they write to their Senators and their House Representatives requesting support for funding these additional judicial positions. Kim Homer of the OCBA reported that a form letter is available on the OCBA's website that can be used for this purpose.

C. Judge Don Myers reported that the circuit judges are attempting to review and resolve cases appealed from the county court within 90 days. He also reported that a new search engine will soon be rolled out to better enable searching circuit court and appellate decisions, and is hopeful that in the future, a similar search engine will be provided for the administrative orders. For now, Judge Myers reminded everyone that searching for administrative orders can be more effectively used by limiting search terms such as family, civil, etc.

D. Judge Heather Higbee reported that they are working on unifying the family court pre-trial orders and hope to have that done soon. Judge Diana Tennis also reported that there may be ways to create other unified orders, when asked if that was possible. Secretary Mary Ann Etzler suggested, and Judge DuBois approved, an email to be sent to committee members asking them for examples of documents that may be different or inconsistent between divisions so that unifying processes, procedures, or documents can be reviewed.

E. Judge Nancy Clark reported that about ½ of the county court judges have been rotated or changed positions, and one criminal division has been closed. Orders have been sent out notifying attorneys of the judicial changes on cases, but asked for

patience as some notifications may not be received timely. Judge Clark said it would take about 90 days or so to ensure the cases and judicial hearing assignments have been fully assimilated. If any issues develop Judge Clark asked to be notified.

F. New Judges introduced. Judge Dubois introduced our three newest judges:

1. Judge Amy Carter (assigned to BRC) and chair of the professionalism committee;
2. Judge Denise Beemer (assigned to circuit criminal);
3. Judge Tom Young (assigned to circuit Criminal).

II. GOOD OF THE ORDER

A. David Henry reported that a service called Matterhorn, is providing mediation services for small claims and other cases “on-line.” While not endorsing the program, he encouraged people to investigate it for possible use in their cases. Mr. Henry also suggested that if the Judiciary was interested in allowing for such an on-line service that he could arrange a vendor demonstration. Judge Clark reported that they are already looking at a similar type of on-line mediation or resolution process, but a pilot program in certain parts of the state has only recently begun. She will report more after the pilot program concludes.

B. Kim Homer of the OCBA reminded members of the free mediation service that the OCBA provides for small claims cases, family, and other civil cases, and encouraged attorneys to refer clients where possible and allow volunteer attorneys to attempt resolution on the smaller monetary damage or non-monetary issues.

C. Members were notified or reminded of the following upcoming events:

1. Attorneys are needed for scoring judges for High School mock trial competition on March 14, 15 and 16, here in Orlando.
2. The Diversity committee is hosting an implicit bias training in April, date/time to be determined
3. Law Explorers will be working toward their Law Merit badge on April 6 and speakers are needed for that all-day program
4. The OCBA reminded members of the upcoming OCBA Gala and the 5k foot race.
5. On February 25, 2019, Judge Sasso will speak to the Law Explorers and all are welcome to attend.
6. March 13, 2019, is the next JRC meeting and we will have a technology briefing.

D. OTHER ISSUES DISCUSSED

1. Request was made for assistance regarding PIP pretrial orders where coverage counsel may be present but incorrectly assigned to cases being handled by other attorneys or firms. This is likely a Clerk's issue and Judge DuBois requested examples of the problem so that he may address it with Supervisor Melissa Geist, Orange County Clerk's office.

2. Request was made to see what can be done about returning the "attorney" search field to the clerk's office website. This question will also be posited to Ms. Geist.

3. General request was made to have more consistency or more standardized forms between divisions regarding various orders, pre-trial orders, reports, pretrial statement format, procedures, and policies, etc., presumably based on different judges having different processes. While administrative orders are general, they don't dictate that each judicial division handle their procedures a certain way. Again, Secretary Mary Ann Etzler suggested and Judge DuBois approved, sending an email to the JRC committee members requesting examples of inconsistencies that attorneys find difficult or problematic within divisions, e.g., civil, criminal, etc.

4. A question was raised as to what was the best way to notify a judge who has taken a matter under advisement, that more than 60 days has elapsed and no order or judgment has been received. All of the judges present concurred, that simply sending the judicial assistant, copying the opposing attorney, asking for a status update, letting them know the attorney would appreciate a time line to be able to keep client(s) appropriately apprised, would be sufficient.

REMINDER: NEXT JRC MEETING IS MARCH 13, 2019, 12:15, 23RD FLOOR CONFERENCE ROOM AT THE ORANGE COUNTY COURTHOUSE.

We will be looking into the possibility of allowing people to call in and listen to the discussion if they can't attend. Also, since seating is limited this might allow for more attendance.

Meeting adjourned at 1:07 pm.

Respectfully submitted,



Mary Ann Etzler, Esq.
Secretary, JR Committee