

THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 13-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 13-06

IN RE: ESTABLISHING CASE STATUS
REQUIREMENTS FOR REAL PROPERTY
MORTGAGE FORECLOSURE CASES

WHEREAS, the status of a foreclosure case and related definitions have been adopted by the Florida Supreme Court and are published in the "FY 2013-14 Foreclosure Initiative Data Collection Plan" promulgated by the Office of the State Courts Administrator; and

WHEREAS, as set forth in Florida Supreme Court Administrative Order No. AOSC13-51 In Re: Case Status Reporting Requirements for Real Property Mortgage Foreclosure Cases ("AOSC13-51"), the Supreme Court found it beneficial to require the Chief Judge of every circuit court to issue an administrative order implementing an effective communication mechanism by which the courts and clerks are notified of case status changes in real property mortgage foreclosure cases in a timely manner; and

WHEREAS, AOSC13-51 further requires the Chief Judge of every circuit to include in such administrative order, direction for designating the status of cases as active or inactive;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, it is hereby **ORDERED**:

1. The Clerk of Courts ("Clerk") shall prepare and submit to the Chief Judge and the Trial Court Administrator, a written procedure by December 15, 2013 as to how they are collecting and reporting to the Office of the State Courts Administrator ("OSCA") each of the Foreclosure Initiative Data Elements ("Data Element(s)") as outlined in the "FY 2013-14 Foreclosure Initiative Data Collection Plan" ("Data Collection Plan").
2. The Clerk shall provide the required information to OSCA on each Data Element required by the Data Collection Plan and shall simultaneously report same, by Data Element, to the Chief Judge and Trial Court Administrator.

3. The Clerk shall be responsible for monitoring data accuracy submitted to OSCA and complying with the Data Collection Plan.
4. The Clerk shall amend any inaccuracies identified in data reported to OSCA and within thirty (30) days of identifying inaccuracies, any amended reports submitted to OSCA shall be provided simultaneously to the Chief Judge and Trial Court Administrator with an explanation of said amendment.
5. The Circuit Civil Division and Foreclosure Initiative (collectively the "Court") shall assist in the implementation of the reporting mechanism by notifying the Clerk as soon as an event occurs that would change the status of a case from active to inactive status or vice versa. Such event(s) shall be specified on the Order Placing Case On Active Status or Order Placing Case On Inactive Status. See, attached sample Orders, which may be periodically revised as deemed appropriate.
6. When the Court becomes aware of any event that changes the status of a case, the Court shall issue one of the aforementioned Orders directing the Clerk to assign the appropriate case status, which the Clerk shall execute upon receipt.
7. When the Clerk becomes aware of events initiating a change in the status of a case, the Clerk shall immediately notify the Court for further review. Thereafter, upon such review, the procedure set forth in paragraph 6 hereinabove shall be followed.

This Administrative Order shall take effect immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 26th day of November, 2013.

**BERTILA SOTO, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

OPCA

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

Plaintiff,

CIRCUIT CIVIL DIVISION

VS.

Defendant

UNIFORM CASE NO.: _____

ORDER PLACING CASE ON ACTIVE STATUS

This case came before the Court, and the Court has been advised that the Plaintiff/ Defendant have/has moved to place the case on ACTIVE status due to:

- ☐ Plaintiff/defendant stipulates that the bankruptcy stay has been lifted, Case No. _____
- ☐ Plaintiff/defendant stipulates that related case has been disposed, Case No. _____
- ☐ By written agreement of the parties
- ☐ Plaintiff/defendant stipulates that pending appeal has been disposed
- ☐ Plaintiff/defendant stipulates that Department of Justice/Attorney General review is complete
- ☐ Other (a reason must be provided in writing by the presiding judge or designee)

DONE and **ORDERED** in Miami-Dade County, Florida, this ____ day of _____ 20____.

Presiding Judge or Magistrate

cc: Service List

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR MIAMI-DADE COUNTY,
FLORIDA

Plaintiff,

CIRCUIT CIVIL DIVISION

VS.

Defendant

UNIFORM CASE NO.: _____

ORDER PLACING CASE ON INACTIVE STATUS

This case came before the Court, and the Court has been advised that the Plaintiff/ Defendant have/has moved to place the case on INACTIVE status due to:

- ☐ Bankruptcy stay, Case No. _____ [BKST]
- ☐ Case pending resolution of another case, Case No. _____ [CPRC]
- ☐ Written agreement of the parties [WAGT]
- ☐ Appeal pending [APLP]
- ☐ Motion to stay or abate due to Department of Justice/Attorney General settlement [DJAD]
- ☐ Other (a reason must be provided in writing by the presiding judge or designee) [OTHR]
- _____

The Clerk of Court is therefore directed to remove this case from the **ACTIVE** status, and designate it as an **INACTIVE** case category based on the reason checked above. The parties must return the case to active status by motion, with notice to all parties, within 30 days of the termination of grounds for inactive status, and seeking an order of court returning it to active status.

DONE and **ORDERED** in Miami-Dade County, Florida, this ____ day of _____ 20__.

Presiding Judge or Magistrate

cc: Service List