

IN THE SUPREME COURT OF FLORIDA

**IN RE: REPORT OF THE
TASK FORCE ON
TREATMENT-BASED
DRUG COURTS**

CASE NO: SC06-434

**MOTION TO WITHDRAW RECOMMENDATION TO AMEND
FLORIDA FAMILY LAW RULE OF PROCEDURE 12.010**

The Task Force on Treatment-Based Drug Courts (“Task Force”), by and through its chair, Circuit Judge Terry D. Terrell, hereby moves pursuant to Rule 9.300(a) to withdraw the Task Force’s recommendation to amend Florida Family Law Rule of Procedure 12.010 and states as grounds as follows:

1. On February 2, 2006, the Task Force filed its Petition of the Task Force on Treatment-Based Drug Courts to Adopt Recommendations with this Court.
2. On July 24, 2006, the Task Force filed an Amended Petition that incorporated several proposed amendments to rules of court procedure, including Fla. Fam. L. R. P. 12.010.
3. On July 21, 2007, this Court entered an opinion that, *inter alia*, referred the proposed amendment to Rule 12.010 to the Family Law Steering Committee and the Family Law Rules Committee.

4. Judge Melanie May from the Task Force and Judge Sue Robbins from the Steering Committee worked together with Judge Raymond T. McNeal, Chair of the Family Law Rules Committee, to develop an amendment to Fla. Fam. L. R. P. 12.010 that accommodates the recommendations of the Task Force.

5. At its January 2008 meeting, the Family Law Rules Committee approved the amendment to Fla. Fam. L. R. P. 12.010 that is contained in its Final Report on Proposed Amendment to Florida Family Law Rule of Procedure 12.010.

6. The Family Law Steering Committee subsequently voted to endorse the proposed amendment.

7. Likewise, the Task Force voted 15-0 to support the Family Law Rules Committee's proposed amendment of Fla. Fam. L. R. P. 12.010.

8. The case involving the Family Law Rules Committee's Final Report has been assigned case number SC08-641.

9. Although the proposed amendment of the Family Law Rules Committee differs from the proposal submitted by the Task Force, the Task Force considers the Rules Committee's proposal so substantially similar to the recommendation from the Task Force as to concur with it and

recommends approval of the Family Law Rules Committee Report assigned case number SC08-641 as it applies to Fla. Fam. L. R. P. 12.010.

10. In light of the foregoing, the Task Force moves to withdraw its recommendation to amend Fla. Fam. L. R. P. 12.010 previously filed in this case.

WHEREFORE, the Task Force on Treatment-Based Drug Courts respectfully requests that this Court grant leave to withdraw the Task Force's recommendation to amend Fla. Fam. L. R. P. 12.010.

Respectfully submitted,

Terry David Terrell, Circuit Judge
M.C. Blanchard Judicial Bldg.
190 Governmental Center, 5th Floor
Pensacola, Florida 32502-5773
Fla. Bar No. 231630

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was provided by mail to: Raymond T. McNeal, Chair, Family Law Rules Committee, 2640 S.E. 45th Street, Ocala, Florida 33480-5784; John F. Harkness, Jr., Executive Director of the Florida Bar, 651 East Jefferson Street, Tallahassee, Florida 32399-2300; H. Scott Fingerhut, Chair, Criminal Procedure Rules Committee, 2400 S. Dixie Highway, Fl. 2, Miami, Florida 33133-3156; Robert Mason, Chair, Juvenile Rules Committee, 25 North Market Street, Suite 200, Jacksonville, Florida 32202-2802; the Honorable Nikki Clark, Chair, Steering Committee on Families and Children in the Court, 301 South Monroe Street, Room 365F, Tallahassee, Florida 32301-1803; this ___ day of May, 2008.

Terry D. Terrell, Circuit Judge

CERTIFICATE OF FONT SIZE

I hereby certify that the foregoing document utilizes computer-generated Times New Roman 14-point font, this ____ day of May, 2008.

Terry D. Terrell, Circuit Judge