

**IN THE SUPREME COURT OF FLORIDA**

**IN RE: AMENDMENTS TO  
FLORIDA RULE OF JUDICIAL  
ADMINISTRATION 2.140**

**CASE NO. SC12-**

**THE FLORIDA RULES OF  
JUDICIAL ADMINISTRATION COMMITTEE  
OUT-OF-CYCLE REPORT TO AMEND RULE 2.140**

Keith H. Park, Chair of the Florida Rules of Judicial Administration Committee (“RJA” or “Committee”), and John F. Harkness, Jr., Executive Director of The Florida Bar, file this out-of-cycle report of the Committee, under Fla. R. Jud. Admin. 2.140(e).

The Committee proposes amendments to Rule 2.140(a). The Committee voted 19-5 in favor of the amendments and 22-0 to submit this report out-of-cycle. The Board of Governors of The Florida Bar has reviewed the proposed amendments and voted 28-0 in favor of these amendments.

Notice of the amendments was published in January 15, 2012, The Florida Bar *News*. No comments were received. See Appendix D.

**ATTACHMENTS:**

- Appendix A: Proposed amendments to *Fla. R. Jud. Admin. 2.140* in legislative format
- Appendix B: Two-column chart
- Appendix C: Email referral to Committee
- Appendix D: *Bar News* Notice

**SUMMARY AND RATIONALE FOR PROPOSED AMENDMENTS:**

Committee member Paul Regensdorf suggested at the Committee’s September 2010 meeting that the Committee review this rule for amendments to include a procedure for handling multiple committee requests from the Supreme Court that require a submission of a single report. See Appendix C. The goal is to manage how to handle multiple requests from the Supreme Court without overburdening one particular committee, subcommittee, or a few individuals. Historically, these assignments have been handled through an ad hoc committee

procedure, which has been satisfactory, but the Committee believes the procedure should be formalized in the rule for clarity and efficiency.

The Committee proposes amendments to subdivision (a) to provide a specific procedure for the Rules of Judicial Administration Committee to coordinate submissions from multiple rules committees by:

- creating an ad hoc committee comprised of a member from each affected rules committee;
- having the ad hoc committee prepare a single joint response that harmonizes the views and input from the affected rules committees with those of the ad hoc committee; and
- having the final comprehensive report filed with the Court by the Rules of Judicial Administration Committee.

Proposed new subdivision (a)(7) creates the above procedure. In addition, the Committee believes that Rule 2.140 would be more logically organized with subdivision (a)(7) directly following current subdivision (a)(5), which addresses the Committee's role as a "coordinating" committee composed of at least one member from each rules committee. The order of subdivisions (a)(5) and (a)(6) is therefore reversed, so that former subdivision (a)(5) becomes subdivision (a)(6), and former subdivision (a)(6) becomes subdivision (a)(5).

Due to the increasing frequency of requests from the Court of joint assignments to multiple committees, the Committee voted to submit this report out-of-cycle.

WHEREFORE, the Florida Rules of Judicial Administration Committee requests that the Court amend the Rules of Judicial Administration as outlined in this report.

Respectfully submitted on \_\_\_\_\_

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## **CERTIFICATIONS**

### **CERTIFICATION OF FONT COMPLIANCE**

I certify that this report was prepared in compliance with the font requirements of *Fla. R. App. P. 9.210(a)(2)*.

### **CERTIFICATION THAT RULES HAVE BEEN READ AGAINST WEST'S RULES OF COURT**

I certify that these rules were read against *West's Florida Rules of Court — State* (2011 revised edition).

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