

From: Janet Gilbert

Sent: Tue, 10 Aug 2010 10:06:00 GMT

To: Mark A. Lehmann

Subject:

Mark letterhead.doc (58Kb) Parnham letterhead.doc (59Kb)

Here is a possible draft for both you and Judge Parnham. Thanks

Janet E. Gilbert
Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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First Judicial Circuit
Robin M. Wright, Court Administrator
Janet E. Gilbert, Sr. Deputy Court Administrator

Court Administration
Foreclosure and Economic Recovery Program
Mark Lehmann, Court Program Specialist II

190 Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida 32502 • (850) 595-4533 • Fax: (850) 595-3246

August 9, 2010

RE: Case No.

Dear Sir;

Pursuant to Administrative Order No. 2010-32 addressing the backlog of foreclosure cases in the State of Florida, Judges have full authority (as permitted by law) to adopt case management orders and management techniques to identify and resolve outstanding issues, and to determine what action is necessary to move these cases expeditiously to resolution. Because of the length of time that the above referenced case has been pending, Judge John T. Parnham has asked that your case be scheduled for a Case Management Conference per the attached order. Please read the order carefully and be prepared to address all relevant matters at the case management conference.

Personal appearance by Plaintiff's attorney (or local counsel retained by Plaintiff's attorney) is required. The court cautions counsel that it is the objective of this Court Division to promptly and efficiently provide resolutions to outstanding foreclosure cases; unwarranted delays will not be tolerated. Please feel free to contact me at 850-595-4533 should you have questions or require additional information.

Sincerely,

Mark Lehmann
Court Program Specialist II



First Judicial Circuit of Florida
JOHN T. PARNHAM
Circuit Judge

Circuit Civil Division
Foreclosure and Economic Recovery Program
M. C. Blanchard Judicial Building

190 Governmental Center, Pensacola, Florida 32502 • (850) 595-4533 • Fax: (850) 595-3246

August 9, 2020

RE: Case No.

Dear Sir;

Pursuant to Administrative Order No. 2010-32 addressing the backlog of foreclosure cases in the State of Florida, Judges shall have full authority (as permitted by law) to adopt case management orders and management techniques to identify and resolve outstanding issues, and to determine what action is necessary to move these cases expeditiously to resolution. Because of the length of time that the above referenced case has been pending, it has been scheduled for a Case Management Conference per the attached order. Please make sure you read the attached order carefully and ensure that you are prepared to address all relevant matters at the case management conference.

Personal appearance by Plaintiff's attorney (or local counsel retained by Plaintiff's attorney) is required. The court cautions counsel that it is the objective of this Court Division to promptly and efficiently provide resolutions to outstanding foreclosure cases; unwarranted delays will not be tolerated. Please refer all inquiries about the Case Management Conference to Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center 3rd Floor, Suite 34002, Pensacola, Florida 32502 (850-595-4533).

Sincerely,

Judge John T. Parnham
Circuit Judge



From: Janet Gilbert
 To: Mark A. Lehmann
 CC: Connie Capps
 Subject: RE: Foreclosure

Sent: Wed, 11 Aug 2010

image001.jpg (75Kb)

Okay, it seems both of the circumstances, the case should have been dismissed and the party required to file another action. However, since the judges are allowing them to simply reopen final judgment, they should not be excluded until a judge or our senior judge hears the case. Luckily, anything entered into the data can be changed later, if needed. Thanks for inquiring.

Janet E. Gilbert
 Family Court Manager
 First Judicial Circuit of Florida
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From: Mark A. Lehmann
 Sent: Wed 8/11/2010 9:37 AM
 To: Janet Gilbert
 Cc: Connie Capps
 Subject: RE: Foreclosure

Where a case has been closed due to a loan modification, forbearance, or loan millgation, and then re-opened due to default again by the defendant. I just asked Connie to make sure that entered before excluding. Better safe than sorry.

Mark A Lehmann
 Court Program Specialist II
 Foreclosure and Economic Recovery Program
 Escambia and Santa Rosa Counties
 850-595-4533

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From: Janet Gilbert
 Sent: Wednesday, August 11, 2010 9:30 AM
 To: Connie Capps
 Cc: Mark A. Lehmann
 Subject: RE: Foreclosure

I don't think they can be reopens unless they have been to final judgment - what other circumstances are you talking about?

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From: Connie Capps
 Sent: Wed 8/11/2010 9:19 AM
 To: Janet Gilbert
 Subject: Foreclosure

✘

Okay, Mark and I were just talking – Are all “Reopens” going to stay with their original division? Mark said only if they have had a Final Jmt. I’m double checking because excluding all reopens. And I am about to start on 2009.
Thanks

Connie S. Capps
Administrative Secretary
Mediation / Family Court
First Judicial Circuit
(850) 595-4482
(850) 595-2246 fax
connie.capps@fcourts1.org

LOVE, LAUGH, PHOTOGRAPH



From: [Janet Gilbert](#)

Sent: Thu, 12 Aug 2010 08:04:23 GMT

To: [Amanda Bailey](#)

Subject: RE:

Thanks, you too.

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
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From: Amanda Bailey

Sent: Thursday, August 12, 2010 8:03 AM

To: Janet Gilbert

Subject: RE:

Good Morning Janet! I'm glad I was able to do something about it too. I will keep you updated on any incidents from now on. I will let you know how things go in DeFuniak. Have a great day!

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Thursday, August 12, 2010 7:55 AM
To: Amanda Bailey
Subject:

Hi Amanda, Judge Pamham was just telling me about the situation you ran into trying to coordinate a hearing where a phony party was put on the other line. I'm glad you were able to do something about it. If you can remember, please keep me informed on anything like this that may come up in the future. Thanks – Hope everything goes/went well in Defuniak.

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From: Mark A. Lehmann

Sent: Thu, 12 Aug 2010 09:01:51 GMT

To: Janet Gilbert

Subject: RE: Letters and Forms

[Parnham letterhead2.doc \(46Kb\)](#) [CMC Scheduling Order Janet.doc \(48Kb\)](#)

Janet,
Yes here are the latest order and cover letter from Judge Parnham

Mark A Lehmann
Court Program Specialist II
Foreclosure and Economic Recovery Program
Escambia and Santa Rosa Counties
850-595-4533

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From: Janet Gilbert
Sent: Thursday, August 12, 2010 8:51 AM
To: Mark A. Lehmann
Cc: Connie Capps
Subject: Letters and Forms

Do you want me to put the sample letters and CMC Order on the shared Foreclosure drive so that Connie can use them to help you send out orders setting those hearings?

Janet E. Gilbert
Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
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IN THE CIRCUIT COURT
OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION

Plaintiff,

VS

CASE NO.:

Defendant.

ORDER SCHEDULING CASE MANAGEMENT CONFERENCE

This Case is scheduled for a Case Management Conference in accordance with Rule 1.200(a), Florida Rules of Civil Procedure and current administrative orders of the court. The case management conference is scheduled for _____, 2010 at _____ a.m. /p.m. in Courtroom _____, at the M.C. Blanchard Judicial Building, 190 W. Governmental Center, Pensacola, Florida, before the Honorable John T. Parnham.

The purpose of this Case Management Order is to identify and resolve outstanding issues and determine what action is necessary to move the case expeditiously to resolution, because of the length of the time that this case has been pending. The parties are hereby notified that all pending motions may be considered at the Case Management Conference, including any pending summary judgment motion. All opposition to any such motion must be filed and served in accordance with Rule 1.510 (c), Florida Rules of Civil Procedure, with a courtesy copy to **Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida, 32502.** The Court will also consider discovery motions. Attorneys should appear having first attempted to resolve those issues with opposing counsel, and fully prepared to argue those motions.

Appearance at Case Management Conference

The Court has determined that presence at the Case Management Conference of the parties, Plaintiff and Borrowers is () required () not required.

For Plaintiff, appearance shall be by a person with specific knowledge of the case and the ability to answer questions by the Court, including but not limited to the status of loss mitigation efforts, knowledge and consent of investors as to settlement, vacancy/tenancy of the property, and diligent search for borrowers. **Where attendance is required, failure to appear by either party**

or failure to appear with requisite knowledge shall be grounds for dismissal, striking of pleadings, entry of default and/or other sanctions as the Court deems appropriate.

For the Plaintiff, telephone appearance of a representative is () allowed () not allowed.

For the Borrower, telephone appearance is () allowed () not allowed.

For any other party, telephone appearance is () allowed () not allowed.

A Case Management Report as detailed in this order shall be filed by the Plaintiff and any appearing Defendant in the case as required below, except that the Parties may file the following, and only the following, in lieu of the Case Management Report:

1. A Stipulation of Voluntary Dismissal and Proposed Order of Dismissal agreed to by parties.
2. A Stipulation of Settlement or Forbearance with a Proposed Order of Dismissal reserving jurisdiction to enforce the settlement of forbearance.
3. In a situation in which the case has been finalized, but remains open on the court's docket, a Motion for Case Closure and Proposed Order to Close Case. A photocopy of the order which finalized the case shall be attached as an exhibit to the motion, for example: a final judgment, an order of dismissal, or an order dismissing for lack of prosecution. This category is for cases that should have been closed, but are still listed as open due to some error. The proposed order should state that this case shall be closed due to *{state specific grounds}*_____.
4. In cases which are stayed or abated due to bankruptcy, a Motion Advising of Bankruptcy Status, which attaches a current bankruptcy case docket and an indication of whether or when relief from stay will be sought, with a Proposed Order regarding Bankruptcy Status reflecting that the case is still in bankruptcy.

Required Case Management Report:

A Case Management Report shall be filed by each party with the Clerk of Court, served on opposing parties, with a courtesy copy delivered to Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida 32502. This report shall be filed and delivered no later than ten (10) days prior to the scheduled Case Management Conference.

The Case Management Report shall include:

1. **Date of filing of complaint and status** of complaint, including any lost note count.
2. **Status of pleadings of each defendant.** An accurate statement as to:
 - a. Service, method of service, non-military affidavit

b. Response filed:

- i. Motion to dismiss, pending or resolved
- ii. Motions for extension of time, pending or resolved
- iii. Answers from Defendants identified by name
- iv. Motions to Strike Affirmative Defenses, pending or resolved
- v. Copies of all outstanding motions and responses shall be attached to the Case Management Report

3. Status of the Property: Whether owner-occupied, tenant-occupied, or vacant. If vacant, Plaintiff must advise whether they will seek an expedited sale date if available.

4. Status of Documents: Is Plaintiff in possession of the original note? What is the chain of ownership of the note? Are there assignments of mortgage? **The original documents should be brought to the Case Management Conference for examination by the Court.**

- a. If the case is a lost note case, an adequate lost note affidavit that complies with Florida Statute should be filed separately in the case and a copy provided with the Case Management Report.

5. Status of Mediation: Has any party requested mediation? Should mediation be ordered? If mediation was ordered, has it occurred and what was the outcome?

6. Status of Loss Mitigation:

- a. Does this properly qualify for the HAMP Program?
- b. Identify and list what HAMP outreach has occurred. Proof/documentation of same should be brought to the Case Management Conference.
- c. Has the foreclosure been put on hold at any time?
- d. Are there any current active loss mitigation efforts, including short sale?
- e. What if anything, is delaying a loss mitigation determination?
- f. What are the results of eligibility determination for loss mitigation?
- g. What is status of compliance with all U.S. Treasury directives and regulations?

7. Status of the Case:

- a. Has Plaintiff sought summary judgment?
 - i. Was the motion set for hearing, when, what result? If the hearing was canceled, advise as to reasons for cancellation.
 - ii. If the motion was not set for hearing, advise as to reasons and whether it is ripe for summary judgment.
 - iii. If all affidavits have been filed, is the matter ready for determination of a

Motion for Summary Judgment at the time of the Case Management Conference?

- b. What discovery, if any, has occurred or is outstanding?
 - i. If there is discovery outstanding, has a motion to compel been filed?
 - ii. If objections have been filed, was a discovery hearing held and an order entered by the Court?
 - iii. What reasons exist for delays in discovery?
 - iv. Indicate outstanding objections to discovery that are pending and the basis for those objections.
 - v. Counsel/parties are directed to confer on any outstanding discovery between the time of the filing of the report and the Case Management Conference, in an attempt to narrow the issues. Failure to do so will result in sanctions.
 - vi. Courtesy copies of all outstanding discovery and responses thereto shall be attached to the Case Management Report.

8. Status of Related Cases/Title: Are there any other related cases involving any other foreclosures, ownership, lien or title issues, and are there any related cases involving insurance issues? If so, each case should be identified by complete case style.

9. Status for Trial: If summary judgment has been denied, or no summary judgment will be sought, is the case ready for trial?

- a. Parties must list known witnesses and exhibits on the Case Management Report.
- b. Parties must list what discovery is necessary to prepare the case for trial.
- c. Motions which must be resolved prior to trial (limine, etc)
- d. Any other issues which may affect trial status should be brought to the Court's attention.
- e. Coordinate the course of the case, including:
 - (a) Allocation of time for trial;
 - (b) Scheduling disclosure of final witness lists, discovery and exhibits;
 - (c) Discussion of evidence and affirmative defenses to claim;
 - (d) Setting of trial thirty (30) days from case management conference;
- f. Require filing of preliminary stipulations if issues can be narrowed.

The information contained in the report must be accurate as to the status of the case. By signing the Case Management Report, the attorney signing is certifying accuracy. The attorney signing the report should be the attorney appearing at the Case Management Conference. Plaintiff must bring stamped addressed envelopes for all parties on the service list to the Case Management Conference.

Scheduling of Dates

Parties must bring their calendars to the Case Management Conference to schedule remaining court events and court-related events. **The Court cautions Counsel that it is the objective of this Court Division to promptly and efficiently provide resolutions to outstanding foreclosure cases.** Counsel shall be prepared to schedule those events according to priorities established by administrative order of this Court.

IF THE PARTIES OR COUNSEL FAIL TO ATTEND THIS CONFERENCE, THE COURT MAY DISMISS THE ACTION, STRIKE PLEADINGS, LIMIT PROOF OF WITNESSES OR TAKE ANY OTHER APPROPRIATE ACTION AS PROVIDED IN RULE 1.200

THIS CASE MANAGEMENT CONFERENCE MAY BE CANCELLED ONLY BY THE COURT. Rescheduling should be sought through a motion to continue for good cause.

DONE and ORDERED in Escambia County, Florida, on this ____ day of _____, 2010.

John T. Parnham
Circuit Judge

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via regular U.S. Mail on the ____ day of August, 2010, to the following:

ERNIE LEE MAGAHA
CLERK OF COURTS

DEPUTY CLERK

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact: Shelia Sims, 190 Governmental Center, 5th Floor, Pensacola, FL 32502 (850) 595-4400 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.



From: Janet Gilbert

Sent: Fri, 13 Aug 2010 09:23:37 GMT

To: Amanda Bailey

Subject: RE:

Hi Amanda, I'm sure we'll be amending the judges schedule a few times over the year. I'm glad the judges over there are being helpful with the orders. I can order the stamps, but please make sure on the cancelled stamp - cancelled or cancelled by judicial order. I will email Judge Brace to see exactly how he wants his stamp. Thanks and have a good weekend. See you Wednesday.

Janet E. Gilbert
Family Court Manager
First Judicial Circuit of Florida
190 Governmental Center Pensacola, FL 32502
(850) 595-0379 phone
(850) 595-3246 fax
janet.gilbert@flcourts1.gov

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From: Amanda Bailey

Sent: Fri 8/13/2010 8:58 AM

To: Janet Gilbert

Subject: RE:

Good Morning Janet,

The meeting in Walton County went well yesterday. It seems we still have a few things to work out, but it went well. Everyone was extremely helpful.

I think I will need to go to Walton County about once a week for case management. The Clerks had a huge box of files waiting for us when we got there, and all three Judges had been signing orders for Judge Brace as they came in, so he was not overwhelmed yesterday. Judge Brace also mentioned something about reworking the 2011 calendar to balance out his days in Walton County since Okaloosa County did not transfer as many cases to Division W as originally expected. I'm sure we will discuss it more as the program develops.

I was told by Judge Brace that I need to get a stamp that has "Cancelled" or "Cancelled by Judicial Order," something to that effect. Both the Clerks offices have asked me to get a name stamp for Judge Brace so that they can conform his orders.

I will talk to you again soon!

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Thursday, August 12, 2010 9:24 AM
To: Amanda Bailey
Subject: RE:

Forgot to mention, I'll be in Crestview next Wednesday. See you then.

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
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Good Morning Janet! I'm glad I was able to do something about it too. I will keep you updated on any incidents from now on. I will let you know how things go in DeFuniak. Have a great day!

Amanda Bailey
Court Program Specialist II
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From: [Mark A. Lehmann](#)

Sent: Mon, 16 Aug 2010 10:49:00 GMT

To: [Janet Gilbert](#)

Subject:

 [SUMMARY JUDGMENT POLICY EFFECTIVE AUGUST 2010.doc \(42Kb\)](#)

Mark A Lehmann
Court Program Specialist II
Foreclosure and Economic Recovery Program
Escambia and Santa Rosa Counties
850-595-4533

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POLICY REGARDING DEFAULT/SUMMARY JUDGMENT ACTIONS
EFFECTIVE AUGUST 2010

CIRCUIT JUDGE JOHN T. PARNHAM

ESCAMBIA AND SANTA ROSA COUNTY CIRCUIT COURT
190 GOVERNMENTAL CENTERS, 3RD FLOOR, PENSACOLA, FL 32502
Ph. 850.595.4533 Fax 850.595.3246

- **PERSONAL APPEARANCE BY COUNSEL IS REQUIRED AT ALL MSJ HEARINGS.**
- THE MOTION FOR SUMMARY JUDGMENT **MUST** BE FILED PRIOR TO THE HEARING BEING SCHEDULED ON JUDGE'S CALENDAR.
- **YOU MAY NOT FILE A NOTICE OF CANCELTION OF HEARING WITHOUT PRIOR LEAVE OF COURT FOR GOOD CAUSE SHOWN, DO NOT WASTE THE COURTS TIME.**
- THE **ENTIRE** SUMMARY JUDGMENT PACKET AND **COMPLETED CHECKLIST** MUST BE IN PHYSICAL POSSESSION OF THE CIRCUIT CLERK NO LATER THAN 10 BUSINESS DAYS BEFORE THE HEARING.
- ON ANY "OWNER-OCCUPIED RESIDENCE" COMPLAINTS FILED PRIOR TO APRIL 1, 2009, IF AN ANSWER HAS BEEN FILED BY THE HOME OWNER, OR COUNSEL FOR THE HOME OWNER, JUDGE PARNHAM REQUIRES COUNSEL FOR THE PLAINTIFF TO COMPLY WITH THE FIRST CIRCUIT'S ADMINISTRATIVE ORDER 2010-01 REQUIRING MEDIATION TO BE CONDUCTED.
- ON ALL COMPLAINTS FILED ON OR AFTER APRIL 1, 2009, JUDGE PARNHAM REQUIRES COUNSEL FOR THE PLAINTIFF TO COMPLY WITH THE FIRST CIRCUIT'S ADMINISTRATIVE ORDER 2010-01 REQUIRING MANDATORY MEDIATION TO BE CONDUCTED IF THE HOME IS OWNER OCCUPIED.
- NOTICE OF HEARING SHALL BE MAILED, WITH CERTIFICATE OF SERVICE, AND OF RECORD IN THE COURT FILE WITHIN 10 DAYS OF THE DATE PLACED ON THE COURT DOCKET. (YOU MAY FILE THE NOTICES OR ARRANGE FOR APPEARING COUNSEL TO FILE). ATTORNEY OF RECORD SHALL BE RESPONSIBLE FOR COMPLIANCE.
- **DO NOT WASTE YOUR TIME OR OURS WITH COURTESY COPIES.** PROPERLY & TIMELY FILED ORIGINALS IN THE COURT FILE IS SUFFICIENT.
- IT IS THE RESPONSIBILITY OF COUNSEL FOR THE PLAINTIFF AND/OR LOCAL COUNSEL TO EXAMINE THE COURT FILE **PRIOR TO** THE SCHEDULED HEARING ENSURING THAT ALL DOCUMENTS HAVE BEEN FILED (i.e. Note, Mortgage, Assignment of Mortgage(s) if any, and all affidavits) AND THAT THE FILE IS READY FOR THE HEARING. IF THE FILE IS FOUND NOT TO BE READY THE HEARING WILL BE IMMEDIATELY CANCELLED **AND MAY RESULT IN DISMISSAL OF THE CASE OR SANCTIONS AGAINST THE ATTORNEY OF RECORD...**
- APPEARING COUNSEL SHALL HAVE AT HEARING THE PROPOSED FINAL JUDGMENT, AND ALL OTHER REQUIRED DOCUMENTS NOT PREVIOUSLY FILED IN THE COURT RECORD.

- FORM FOR FINAL SUMMARY JUDGMENT ANY PROPOSED FINAL SUMMARY JUDGMENT MUST SUBSTANTIALLY CONFORM TO FORM 1.996 (FINAL JUDGMENT OF FORECLOSURE), FLORIDA RULES OF CIVIL PROCEDURE AND FLORIDA STATUTES 45.031. THE STANDARD FORM MUST BE REVISED TO INCLUDE THE APPROPRIATE SUMMARY JUDGMENT LANGUAGE (AND SHALL ENSURE ALL COUNTS IN THE COMPLAINT ARE CLEARLY ADDRESSED). FURTHER, THE PARTIES MAY BELIEVE OTHER CHANGES TO THE STANDARD FORM ARE NECESSARY EITHER BASED UPON THE FACTS OF A PARTICULAR CASE OR AS A MATTER OF PRACTICE. FOR EXAMPLE, THE COURT ALSO FINDS THAT THE APPROPRIATE LANGUAGE TO AWARD REASONABLE ATTORNEY'S FEES IN ACCORDANCE WITH FLORIDA PATIENTS' COMPENSATION FUND V ROWE, 472 SO. 2D 1145 (FLA. 1985) MAY BE INSERTED.
- TITLE SEARCH EXPENSES: BASED ON THE ORDINARY AND REASONABLE CHARGES PREVAILING IN THIS AREA, THE COURT WILL AWARD UP TO \$225.00 IN AGGREGATE FOR TITLE SEARCH-RELATED EXPENSES. IF MORE THAN \$225.00 IS CLAIMED, PROOF OF THE ADDITIONAL AMOUNTS MUST BE SUBMITTED (I.E. COPY OF THE INVOICE FROM THE ENTITY RENDERING SERVICE AND PROOF OF PAYMENT MUST BE ATTACHED). ACCEPTABLE "PROOF OF PAYMENT" INCLUDES, FOR EXAMPLE, A CANCELLED CHECK OR PAID RECEIPT. IN ADDITION, THE MOVANT SHALL FILE A COVER LETTER JUSTIFYING FOR THE COURT THE EXPENSES WHICH EXCEED THE ORDINARY AND REASONABLE CHARGES PREVAILING IN THIS AREA.
- SERVICE OF PROCESS EXPENSES: BASED ON THE ORDINARY AND REASONABLE CHARGES PREVAILING IN THIS AREA, THE COURT WILL AWARD UP TO \$40.00 PER PERSON OR ENTITY, UNLESS UNUSUAL CIRCUMSTANCES. IF MORE THAN \$40.00 PER PERSON OR ENTITY IS CLAIMED, PROOF OF THE ADDITIONAL AMOUNTS MUST BE SUBMITTED (I.E. COPY OF INVOICES AND DOCUMENTATION REGARDING SERVICE OF PROCESS AND PROOF OF PAYMENT MUST BE ATTACHED). ACCEPTABLE "PROOF OF PAYMENT" INCLUDES, FOR EXAMPLE, A CANCELLED CHECK OR PAID RECEIPT. IN ADDITION, THE MOVANT SHALL FILE A COVER LETTER JUSTIFYING FOR THE COURT THE EXPENSES WHICH EXCEED THE ORDINARY AND REASONABLE CHARGES PREVAILING IN THIS AREA.
- FAILURE TO COMPLY WITH THE ENTIRETY OF THIS POLICY MAY RESULT IN DISMISSAL OF THE CASE OR SANCTIONS AGAINST THE ATTORNEY OF RECORD.
- WHEN A FORECLOSURE CASE IS FILED AS OWNER OCCUPIED AND LATER DETERMINED IT IS NOT OWNER OCCUPIED, COUNSEL FOR MORTGAGE HOLDER MAY PROVIDE AN AFFIDAVIT AND PROPOSED ORDER TO THE COURT FOR ENTRY. NO HEARING IS REQUIRED.

MANAGING ATTORNEY HANDLING FORECLOSURES & JUDGMENTS MUST SIGN THIS DOCUMENT AND RETURN BY FAX WITHIN 2 BUSINESS DAYS OF RECEIPT. HEARINGS WILL NOT BE SCHEDULED UNTIL A SIGNED COPY IS ON RECORD IN THE JUDGE'S OFFICE. MANAGING ATTORNEY IS RESPONSIBLE FOR DISTRIBUTION TO STAFF AND COMPLIANCE WITH THIS POLICY.

FIRM NAME: _____

MANAGING ATTORNEY: _____

PHONE: _____ FAX: _____

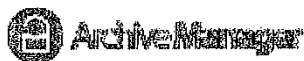
E-MAIL ADDRESS: _____

—

SIGNATURE: _____

DATE: _____

H:\pbeard\My Files\SUMMARY JUDGMENT CASES\MSJ Memo & Forms for 2011\SUMMARY JUDGMENT POLICY
EFFECTIVE AUGUST 2010.doc



From: [Amanda Bailey](#)

Sent: Thu, 19 Aug 2010 08:59:22 GMT

To: [Janet Gilbert](#)

Subject: RE:

I have some package sized envelopes, but because it costs less to send the letter sized envelopes, I thought I would see if I could use those instead. I can't wait to hear how everything works out! See you tomorrow!

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Thursday, August 19, 2010 8:47 AM
To: Amanda Bailey
Subject: RE:

Hi Amanda, I will bring one, thought I had brought one last time. We are having Judge Parnham's first full day of hearings today - so far it going pretty well. See you tomorrow.

Janet E. Gilbert
Family Court Manager
First Judicial Circuit of Florida
190 Governmental Center Pensacola, FL 32502
(850) 595-0379 phone
(850) 595-3246 fax
janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Thu 8/19/2010 8:24 AM
To: Janet Gilbert
Subject:

Good Morning Janet!

Tomorrow when you come to Crestview, I would be forever grateful if you could bring me a box of letter sized envelopes. I am preparing several case management orders, and I need to start sending them out.

Thanks!

Ananda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Mon, 30 Aug 2010 16:32:00 GMT
To: Vicki Jackson; Adair Cotton; Kathy Henley; Linda Warren; Brandy Norris; Cheri High; Kim Davis;
Subject: Foreclosure Project

 **DISPO FORM FOR DIV JUDGES.doc (33Kb)**

As you all know, we are required to report to Tallahassee on all cases filed up until July 1, 2010 even though our "W" division is only through December 31, 2009. Therefore, Judge Terrell has sent the attached disposition form to all judges requesting they complete them and give to our case managers on hearings scheduled in their division. Could you please help me get the word out to anyone who sees this form show up, to put them in the foreclosure case managers' incoming mail.

On one other note, one of the foreclosure judges believes some judges are asking the clerk to move some cases to the "W" division. We are only going to be able to hear and report on the cases sent to us for each county from Tallahassee (which you sent to them). Please let me know if anyone requests that a case be transferred to the "W" division, so this can be addressed. Thanks very much. I appreciate all of your help.

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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FORECLOSURE AND ECONOMIC RECOVERY DISPOSITION FORM
 IN AND FOR _____ COUNTY, FLORIDA
 FIRST JUDICIAL CIRCUIT OF FLORIDA

Real Property/Mortgage Foreclosure

_____, Judge: _____
 Plaintiff, Case No.: 20_____ CA 00_____
 vs. Date: _____, 20_____
 _____, Defendant(s).

Disposition	{check one}
Summary/Final Judgment	
Trial	
Dismissed	
Other (specify)	

Other Action	{check one}
Stayed – Bankruptcy	
Stayed – Pending resolution of another case	
Stayed – By agreement of parties	
Stayed – Appeal pending	
Lack of Prosecution (LOP) – Attorney Inactivity	
Rescheduled – Insufficient pleadings or documentation	
Ordered to Mediation/Awaiting Mediation Results	
Other – see comments below	

Other Information/Comments:

IMPORTANT NOTICE: This form is to be sent to the Foreclosure and Economic Recovery Case Manager listed below (care of Clerk’s Office, Circuit Civil) to report activity on any foreclosure case filed in your division before July 1, 2010.

Escambia and Santa Rosa: Mark Lehmann (850-595-4533)
 Okaloosa and Walton: Amanda Bailey (850-689-7329)



From: [Amanda Bailey](#)
To: [Janet Gilbert](#)
Subject: RE: Cases to remove

Sent: Wed, 08 Sep 2010 08:06:58 GMT

Thanks Janet!

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Wednesday, September 08, 2010 8:05 AM
To: Amanda Bailey
Subject: FW: Cases to remove

Hi Amanda, I will have Connie exclude these cases on the data spreadsheet. Thanks – hope all is going well.

Janet E. Gilbert
Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Vicki Jackson [<mailto:vjackson@clerkofcourts.cc>]
Sent: Tuesday, September 07, 2010 5:31 PM

To: Janet Gilbert
Cc: Kathy Henley
Subject: FW: Cases to remove

Janet,

I sent this email I sent to Amanda yesterday, but thought I should forward it to you as well. I don't know why the JA's are setting hearings for Division W cases in front of their judges (unless they were set way before July 1st and the attorney's are just now sending the hearing notices?)

I'm changing the judge assignments back to the original judges on these unless you tell me that this is not the procedure you wish us to follow.

Please advise.

Vicki

From: Vicki Jackson
Sent: Tuesday, September 07, 2010 5:24 PM
To: 'Amanda Bailey'
Subject: Cases to remove

- 09-900 MSJ HEARING SET BEFORE BROWN
- 08-725 MSJ HEARING SET BEFORE BROWN
- 09-3557 MSJ HEARING SET BEFORE BROWN
- 08-1233 MSJ HEARING SET BEFORE BROWN
- 08-1781 MSJ HEARING SET BEFORE STONE
- 09-1357 MSJ HEARING SET BEFORE BROWN
- 09-3733 MSJ HEARING SET BEFORE BROWN
- 09-3342 MSJ HEARING SET BEFORE BROWN
- 09-679 MSJ HEARING SET BEFORE HEFLIN

NOTE: 09-7471 Attorney has filed the hearing notice with Shalimar as the location of the hearing. They will need to be contacted and asked to amend (unless he's having hearings down here and I'm not aware of it)

PLEASE NOTE: Florida has a very broad public records law. Email communications to or from Okaloosa County Clerk of Court employees are considered public records and are available to the public and media upon request. Your e-mail communications, including your email address, are subject to public disclosure. This email is intended for the addressee(s) indicated above only. If you have received this email in error, please delete it immediately.

This e-mail has been scanned by Verizon Business Managed Email Content Service, using Skeptic (tm) technology powered by MessageLabs.



From: Mark A. Lehmann

Sent: Mon, 13 Sep 2010 15:51:21 GMT

To: Janet Gilbert

Subject: RE: Other Category

Janet
 A hearing for some other motion besides Summary Judgment that was not put on his next docket. (Example: Motion to intervene, Motion to strike, Motion to dismiss counterclaims etc;

Mark A Lehmann
 Court Program Specialist II
 Foreclosure and Economic Recovery Program
 Escambia and Santa Rosa Counties
 850-595-4533

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From: Janet Gilbert
Sent: Monday, September 13, 2010 3:28 PM
To: Mark A. Lehmann
Subject: Other Category

Please give me some idea what the "other" disposition category may include for my report. Thanks

Janet E. Gilbert
 Family Court Manager
 Court Administration
 1st Judicial Circuit of Florida
 190 Governmental Center
 Pensacola, FL 32502
 Phone: 850-595-0379
 FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Janet Gilbert
To: Amanda Bailey
Subject: RE: Walton County Phone Number

Sent: Tue, 14 Sep 2010 10:15:00 GMT

Great, did you get my question about SJs in Okaloosa? Data base shows 10 summary judgments. Since you haven't had hearing yet, does this reflect other judges dispos?

Janet E. Gilbert
Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
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janet.gilbert@ficcourts1.gov

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From: Amanda Bailey
Sent: Tuesday, September 14, 2010 9:31 AM
To: jgilbert@ficcourts1.gov
Subject: Walton County Phone Number

Hi Janet,

I just wanted to let you know that they installed a phone for me in Walton County. The number here is: 850-892-8765 x. 2381. Just incase you need to get in touch with me, as it seems outlook keeps going down.

Thanks!

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Amanda Bailey
To: Janet Gilbert
Subject: RE:

Sent: Tue, 14 Sep 2010 10:56:22 GMT

Yes ma'am. I have been working through the list that Vicki sends me about the cases, I pull the docket and if the Summary Judgment was entered, I put it in FERCTS. Is that wrong?

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert
Sent: Tuesday, September 14, 2010 9:29 AM
To: Amanda Bailey
Subject: RE:

Hi Amanda, I was just about to email you. Crestview to Pensacola is 50 miles. I do want to come tomorrow, however, I'm suffering from a serious sinus infection and the meds don't seem to be helping much. I'm sure you'll be okay if I can't make it. I also have a question for you, our FERCT reflects 10 summary judgments for Okaloosa. Do you know how these came about – were they other judges? thanks

Janet E. Gilbert
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From: Amanda Bailey
Sent: Tuesday, September 14, 2010 8:53 AM
To: jgilbert@flcourts1.gov
Subject:

Hi Janet,

I just wanted to let you know that I am in Walton County today prepping the files for our hearings on Thursday. Also, what is the allowed mileage for travel from Crestview to Pensacola? Are you coming to Crestview tomorrow? I will be there bright and early!


Thanks!

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
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From: Janet Gilbert
To: Brooke Jones
Subject: Emailing: July to Sep 10.doc

 July to Sep 10.doc (43Kb)

brooke, attached is the foreclosure report for the judges meeting. I'm going to urgent care as I'm still suffering with this sinus infection in spite of antibiotics and ste

**FORECLOSURE AND ECONOMIC RECOVERY PROGRAM
REPORT for July 1, 2010 through September 10, 2010**

The number of cases in the data base for the Foreclosure and Economic Recovery Program total 13,367 as follows: Escambia 5,064, Okaloosa 3,757, Santa Rosa 1,825, and Walton 2,721. The table below reflects the total cases closed or excluded from the data base as of our first monthly report, submitted September 10. There are many cases that were left in re-open status that need to be excluded, which requires going through each county list case by case. We're working on cleaning up the data from the oldest dates forward, and hope to soon have a clearer picture of the targeted cases. These totals also include voluntary dismissals and dispositions by both the division judges and senior judges.

County	Escambia	Okaloosa	Santa Rosa	Walton	TOTAL
Total Cases Closed	153	22	20	0	195
Dismissals	10	12	1	0	23
Summary Judgments	143	10	19	0	172
Cases Excluded	1895	156	0	4	2055
TOTAL	2201	200	40	4	2445

Below is an overview of foreclosure hearings held by the Senior Judge in Escambia and Santa Rosa Counties since July, 2010. Okaloosa and Walton Counties will have their first hearings on September 15th and 16th.

Hearing Date	7/02/10	8/19/10	9/02/10	9/02/10	8/20/10	TOTALS
County	ESC	ESC	ESC	ESC	Santa Rosa	
Type Hearings Set	LOP	MSJ	MSJ	LOP	MSJ	
Cases Heard	59	48	47	27	32	213
FJ Entered		34	28		19	81
Dismissed	48	1	1	22		72
Total Cases Closed	48	35	29	22	19	153
Continued	8	6	11	5	8	38
Cancellations		7	6		4	17
Other*	3		1		1	5

* Other includes referral to mediation, motions to strike, dismiss counterclaim, or intervene, etc.



From: Janet Gilbert

Sent: Tue, 14 Sep 2010 11:08:00 GMT

To: Amanda Bailey

Subject: RE:

No, that's great, thanks. Each month by the 10th we have to submit the data to Tallahassee. Please keep in mind if you have data to enter and can't get to it to let me know and I can have Connie do it. Have a great day.

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
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Subject: RE:

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Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
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Thanks!

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From: Janet Gilbert

Sent: Tue, 14 Sep 2010 11:18:00 GMT

To: Amanda Bailey

Subject: RE:

Thanks Amanda.

Janet E. Gilbert

Family Court Manager

Court Administration

1st Judicial Circuit of Florida

190 Governmental Center

Pensacola, FL 32502

Phone: 850-595-0379

FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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From: Amanda Bailey

Sent: Tuesday, September 14, 2010 11:13 AM

To: Janet Gilbert

Subject: RE:

Absolutely. I may need her help soon. The Judges in Walton County have gone through their old files and made lists for me to enter into FERCTS. Kristie gave me a huge stack! I will definitely let you know. And, please take care of yourself, and get well soon!

Amanda Bailey

Court Program Specialist II

Foreclosure and Economic Recovery Program

Okaloosa and Walton Counties

101 East James Lee Boulevard

Crestview, FL 32536

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Janet E. Gilbert

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Subject: RE:

Yes ma'am. I have been working through the list that Vicki sends me about the cases, I pull the docket and if the Summary Judgment was entered, I put it in FERCTS. Is that wrong?

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert
Sent: Tuesday, September 14, 2010 9:29 AM

To: Amanda Bailey
Subject: RE:

Hi Amanda, I was just about to email you. Crestview to Pensacola is 50 miles. I do want to come tomorrow, however, I'm suffering from a serious sinus infection and the meds don't seem to be helping much. I'm sure you'll be okay if I can't make it. I also have a question for you, our FERCT reflects 10 summary judgments for Okaloosa. Do you know how these came about – were they other judges? thanks

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Tuesday, September 14, 2010 8:53 AM
To: jgilbert@flcourts1.gov
Subject:

Hi Janet,

I just wanted to let you know that I am in Walton County today prepping the files for our hearings on Thursday. Also, what is the allowed mileage for travel from Crestview to Pensacola? Are you coming to Crestview tomorrow? I will be there bright and early!

Thanks!

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Amanda Bailey

Sent: Thu, 16 Sep 2010 14:37:24 GMT

To: Janet Gilbert

Subject:

Hi Janet,

How are you feeling? I hope you are doing better. Our hearings went okay yesterday. However, just like Judge Parnham's first few hearings, they went a little slow. I imagine things will be much better once all of the kinks are worked out. Would it be possible for you to contact the IT person over here (his name is John _____) and see if he can install the foreclosure drive on this computer as well? I don't want to fall too far behind. Also, is it possible for me to forward my calls from Crestview to DeFuniak when I am here? I don't think I will get as many hearings set without doing it that way.

I will talk to you soon!

Amanda Bailey
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Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
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Crestview, FL 32536

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From: [Amanda Bailey](#)

Sent: Thu, 16 Sep 2010 14:56:53 GMT

To: [Janet Gilbert](#)

Subject: RE:

Sorry, I'm still a little frazzled, so my thoughts aren't processing quite as well as I would like. I think it is the family law drive, but Michael was able to install only the foreclosure portion of it. I would like that in Walton County as well, if it is possible, so that I may enter some of the FERCTS data as time permits.

I was asking both, is it okay to forward the phone and if so, how?

Sorry, again.

Thanks,

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert

Sent: Thursday, September 16, 2010 2:46 PM

To: Amanda Bailey

Subject: RE:

Glad there weren't too many problems, at least. Do you mean you need the family law drive in Walton County? And are you asking me how to forward the phone or if it's okay? Sorry need a little clarification. Thanks

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
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janet.gilbert@flcourts1.gov

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original message. Thank you.

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Sent: Thursday, September 16, 2010 2:37 PM
To: Janet Gilbert
Subject:

Hi Janet,

How are you feeling? I hope you are doing better. Our hearings went okay yesterday. However, just like Judge Parnham's first few hearings, they went a little slow. I imagine things will be much better once all of the kinks are worked out. Would it be possible for you to contact the IT person over here (his name is John _____) and see if he can install the foreclosure drive on this computer as well? I don't want to fall too far behind. Also, is it possible for me to forward my calls from Crestview to DeFuniak when I am here? I don't think I will get as many hearings set without doing it that way.

I will talk to you soon!

Amanda Bailey
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Foreclosure and Economic Recovery Program
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Crestview, FL 32536

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From: Janet Gilbert

Sent: Thu, 16 Sep 2010 15:06:00 GMT

To: Amanda Bailey

Subject: RE:

Okay, I will request that Michael do that. As for the phone, I'm not sure especially with new system. I may be easier to just check the voicemail from outside the office, so you don't have to remember to forward each time. I'll ask Alicia for instructions. Thanks – hope you can relax and unwind tonight!

Janet E. Gilbert
Family Court Manager
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1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
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From: Amanda Bailey
Sent: Thursday, September 16, 2010 2:57 PM
To: Janet Gilbert
Subject: RE:

Sorry, I'm still a little frazzled, so my thoughts aren't processing quite as well as I would like. I think it is the family law drive, but Michael was able to install only the foreclosure portion of it. I would like that in Walton County as well, if it is possible, so that I may enter some of the FERCTS data as time permits.

I was asking both, is it okay to forward the phone and if so, how?

Sorry, again.

Thanks,

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
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Crestview, FL 32536

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From: Janet Gilbert
Sent: Thursday, September 16, 2010 2:46 PM
To: Amanda Bailey
Subject: RE:

Glad there weren't too many problems, at least. Do you mean you need the family law drive in Walton County? And are you asking me how to forward the phone or if it's okay? Sorry need a little clarification. Thanks

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From: Amanda Bailey
Sent: Thursday, September 16, 2010 2:37 PM
To: Janet Gilbert
Subject:

Hi Janet,

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I will talk to you soon!

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties


101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert
To: Amanda Bailey
Subject: RE: Ok County Foreclosure

Sent: Mon, 20 Sep 2010 12:26:01 GMT

 [image001.jpg \(75Kb\)](#)

Okay, we'll go in an manually change to dispo. I knew you were aware they should be dispo'd not excluded.... It's a mystery. Or maybe Connie did it and forgot. Thanks

Janet E. Gilbert
Family Court Manager
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1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Monday, September 20, 2010 12:11 PM
To: Janet Gilbert
Subject: RE: Ok County Foreclosure

Hi Janet,

I am not sure how they would have been marked excluded rather than disposed. I went back through all of the lists from the JA's with disposed cases, and I only found 2007 CA 004506. I may have marked that one as excluded in error, but I do not recall marking any cases as excluded except for the one that you and I did together during the first few weeks. I'm sorry I don't know more.

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Monday, September 20, 2010 11:01 AM
To: Amanda Bailey
Subject: FW: Ok County Foreclosure

Amanda, can you please look at the cases below and see if you know how these cases were indicated excluded rather than dispo'd? Thanks

Janet E. Gilbert
Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Connie Capps
Sent: Monday, September 20, 2010 10:02 AM
To: Janet Gilbert
Subject: Ok County Foreclosure

The below cases have been 'excluded / deleted' from the Fercts data base. However, their disposition was no until after July 1, 2010.

2007 CA 4058 - FJ entered 7/12/10
2007 CA 4107 - FJ entered 7/29/10
2007 CA 4332 - FJ entered 7/26/10
2007 CA 4506 - FJ entered 7/28/10

Connie S. Capps
Administrative Secretary
Mediation / Family Court
First Judicial Circuit

(850) 595-4482
(850) 595-3246 fax
connie.capps@flcourts1.org

LOVE, LAUGH, PHOTOGRAPH



From: Mark A. Lehmann

Sent: Mon, 20 Sep 2010 15:45:00 GMT

To: Janet Gilbert

Subject: FW: Division "W" Foreclosure Process

[attorney Certificate of Compliance.docx \(11Kb\)](#) [Pretrial Order.docx \(21Kb\)](#) [Summary of process agreement.docx \(13Kb\)](#) [Order Granting Motion to Administratively Close File.docx \(12Kb\)](#) [Motion to Administratively Close File.docx \(13Kb\)](#)

FYI

Mark A Lehmann
 Court Program Specialist II
 Forclosures and Economic Recovery Program
 Escambia and Santa Rosa Counties
 850-595-4533

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From: John Parnham [mailto:parham1@gmail.com]
Sent: Wednesday, September 15, 2010 9:51 PM
To: karen.morgan@marshallwatson.com; abeer.baker@marshallwatson.com; marias@dstern.com; jwillinsky@dstern.com; acordell@defaultlawfl.com; tharwood@defaultlawfl.com; jtterrana@logs.com; hfintel@logs.com
Cc: Brace-sr@cox.net; Mark A. Lehmann; Amanda Bailey
Subject: Division "W" Foreclosure Process

Dear Counsel:

First, I want to express my sincere appreciation for you taking the time to speak with me. I realize each of you are extremely busy and I imposed upon your schedule. I also want to thank you for your cooperation and assistance. I have attached several documents which I propose to use in this division. Hopefully they are consistent with our conversations. Please review them immediately and if you object or do not agree with any provision, contact me or Mark ASAP so we have time to discuss the problem and resolve it. I believe each of you have my cell number so don't be reluctant to call at any time.

The "summary of process" document is my recollection of what we agreed upon, but as with a lot of "senior" judges, my recollection often times leaves a lot to be desired. If the document contains any misstatements of what we agreed upon, please understand they were not intentional.

Although I have spoken with Judge Brace (Okaloosa and Walton County) about this process and I believe he intends to replicate it in his counties, please contact him personally to confirm his intentions.

Again, thank you for your patience and understanding,

Respectfully,
 Judge John Parnham
 (Senior Status)

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**IN THE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT IN AND FOR
ESCAMBIA (SANTA ROSA) COUNTY, FLORIDA**

Plaintiff,

vs.

CASE NO.:
DIVISION: "W"
JUDGE PARNHAM

Defendants, et al.,
_____ /

CERTIFICATE OF SERVICE COMPLIANCE

In accordance with the enclosed Pre-Trial Order the undersigned attorney hereby certifies that she (he) received a copy of the Pre-Trial Order and provided a copy of said order to the attorney(s) representing the plaintiff in each of the above referenced cases.

In addition, the undersigned certifies that a true and correct copy of the Pretrial Order and Notice of Hearing has been furnished by U.S. Mail to all parties on this ___ of _____, 201__.

Plaintiff's Attorney

(print or type name)

Cc: (copies must be sent to all parties)

**IN THE CIRCUIT COURT
OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION**

Case Nos. _____ Case Nos. _____

ORDER SCHEDULING PRETRIAL CONFERENCE

This Case is scheduled for a Pretrial Conference in accordance with Rule 1.200(a), Florida Rules of Civil Procedure and Administrative Order# 2010-32 for the First Judicial Circuit. The pretrial conference is scheduled for _____, 2010 at _____ M **CST** in Chambers on the 6th floor, at the M.C. Blanchard Judicial Building, 190 W. Governmental Center, Pensacola, Florida, before the Honorable John T. Parnham. **(ALL TIMES CONTAINED HEREIN ARE CENTRAL STANDARD TIMES)**

This case is designated a “backlog” case because of the length of the time it has been pending and the purpose of this Pretrial Order is to identify and resolve outstanding issues and determine what action is necessary to move the case fairly and expeditiously to resolution. ***All requirements contained herein are hereby ordered by this court and are mandatory. Failure of any party to comply with the terms and requirements contained herein may result in the imposition of sanctions***, including but not limited to dismissal of claims and counterclaims.

The parties are hereby notified that all pending motions may be considered at the Pretrial Conference, including any pending summary judgment motion, provided the Motion for Summary Judgment is filed in accordance with the Rule 1.510, Florida Rules of Civil Procedure. All opposition to any such motion must be filed and served in accordance with Rule 1.510 (c), Florida Rules of Civil Procedure, with a courtesy copy to **Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida, 32502.** The Court will also consider discovery motions. Attorneys should appear having first attempted to resolve those issues with opposing counsel, and fully prepared to argue those motions.

Appearance at Pretrial Conference

All attorneys shall appear in person at the conference. Telephonic appearance is **not** permitted.

For the Plaintiff, appearance shall be by a person with specific knowledge of the case and the ability to answer questions by the Court, including but not limited to the status of loss mitigation efforts, knowledge and consent of investors as to settlement, vacancy/tenancy of the property, and diligent search for borrowers. **Failure to appear by either party or failure to appear with requisite knowledge shall be grounds for dismissal, striking of pleadings, entry of default and/or other sanctions as the Court deems appropriate.**

Pretrial Report

A Pretrial Report as detailed in this order **shall** be filed by the Plaintiff and any appearing Defendant in the case as required below, **except** that the Parties may file the following, and **only the following** in lieu of the Pretrial Report:

1. A Stipulation of Voluntary Dismissal and Proposed Order of Dismissal agreed to by parties.
2. A Stipulation of Settlement or Forbearance signed by all parties of record who have not been previously defaulted, with a Proposed Order of Dismissal reserving jurisdiction to enforce the settlement of forbearance.
3. A Motion and Order to Administratively Close the File. (A form copy of the motion and order is enclosed herein as Attachment No. 1 and Attachment No. 2)
4. In a situation in which the case has been finalized, but remains open on the court's docket, a Motion for Case Closure and Proposed Order to Close Case. A photocopy of the order which finalized the case shall be attached as an exhibit to the motion. This category is for cases that should have been closed, but are still listed as open due to some error. The proposed order should state that this case shall be closed due to *{state specific grounds}*_____.

5. In cases which are stayed or abated due to bankruptcy, a Motion Advising of Bankruptcy Status, which attaches a current bankruptcy case docket and an indication when relief from stay will be sought or has been previously approved by the bankruptcy court.

The Pretrial Report shall be filed by each party with the Clerk of Court, served on opposing parties, with a courtesy copy delivered to Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida 32502. **This report shall be filed and delivered no later than ten (10) days prior to the scheduled Pretrial Conference.**

The Pretrial Report shall include:

1. Date of filing of complaint and status of complaint, including any lost note count.
2. Status of pleadings of each defendant. An accurate statement as to:
 - a. Service, method of service, non-military affidavit
 - b. Response filed:
 - i. Motion to Dismiss, pending or resolved
 - ii. Motions for Extension of Time, pending or resolved
 - iii. Answers from Defendants identified by name
 - iv. Motions to Strike Affirmative Defenses, pending or resolved
 - v. Copies of all outstanding motions and responses shall be attached to the Pretrial Report
3. Status of the Property: Whether owner-occupied, tenant-occupied, or vacant. If vacant, Plaintiff must advise whether they will seek an expedited sale date if available.
4. Status of Documents: Is Plaintiff in possession of the original note? What is the chain of ownership of the note? Are there assignments of mortgage? **The original documents should be brought to the Pretrial Conference for examination by the Court.**

If the case is a lost note case, an adequate lost note affidavit that complies with Florida Statute should be filed separately in the case and a copy provided with the Pretrial Report.

5. Status of Mediation: Has a "Form A" been filed? If not, state the reasons why? If yes, attach a copy and state whether mediation has been ordered an/or completed?

6. Status of Loss Mitigation:

- a. Has the foreclosure been put on hold at any time?
- b. Are there any current active loss mitigation efforts, including short sale?
- c. What if anything, is delaying a loss mitigation determination?

7. Status of the Case:

- a. Has Plaintiff sought summary judgment?
 - i. Was the motion set for hearing, when, what result? If the hearing was canceled, advise as to reasons for cancellation.
 - ii. If the motion was not set for hearing, advise as to reasons and whether it is ripe for summary judgment.
 - iii. If all affidavits have been filed, is the matter ready for determination of the Motion for Summary Judgment at the time of the Pretrial Conference?
- b. What discovery, if any, has occurred or is outstanding?
 - i. If there is discovery outstanding, has a motion to compel been filed?
 - ii. If objections have been filed, was a discovery hearing held and an order entered by the Court?
 - iii. What reasons exist for delays in discovery?
 - iv. Indicate outstanding objections to discovery that are pending and the basis for those objections.
 - v. Counsel/parties are directed to confer on any outstanding discovery between the time of the filing of the report and the Pretrial Conference, in an attempt to narrow the issues. Failure to do so will result in sanctions.
 - vi. Courtesy copies of all outstanding discovery and responses thereto shall be attached to the Pretrial Report.

8. **Status for Trial: If a Motion for Summary Judgment has been filed the provisions of this paragraph are not applicable.**

If summary judgment has been denied, or no summary judgment will be sought, is the case ready for trial?

- a. Parties must list known witnesses and exhibits on the Pretrial Report.

- b. Parties must list what discovery is necessary to prepare the case for trial.
- c. Motions which must be resolved prior to trial.
- d. List any other issues which may affect trial status should be brought to the court's attention.
- e. Coordinate with all opposing counsel of appearing defendants the course of the case, including:
 - (a) Allocation of time for trial;
 - (b) Scheduling disclosure of final witness lists, discovery and exhibits;
 - (c) Discussion of evidence and affirmative defenses to claim;
 - (d) Setting of trial thirty (30) days from case Pretrial conference;
 - (f) Require filing of preliminary stipulations if issues can be narrowed.

The information contained in the report must be accurate as to the status of the case. The attorney must sign the report and certify that the information contained therein is accurate. The attorney signing the report should be the attorney appearing at the Pretrial Conference.

Scheduling of Dates

Parties must bring their calendars to the Pretrial Conference to schedule remaining court events and court-related events. **The Court cautions Counsel that it is the objective of this Court Division to promptly and fairly provide resolutions to outstanding foreclosure cases.** Counsel shall be prepared to schedule those events according to priorities established by administrative order of this Court.

IF THE PARTIES OR COUNSEL FAIL TO ATTEND THIS CONFERENCE, THE COURT MAY DISMISS THE ACTION, STRIKE PLEADINGS, LIMIT PROOF OF WITNESSES OR TAKE ANY OTHER APPROPRIATE ACTION AS PROVIDED IN RULE 1.200

THIS PRETRIAL CONFERENCE MAY BE CANCELLED ONLY BY THE COURT. Rescheduling should be sought through a Motion to Continue for Good Cause. If any provision of this order conflicts with a provision of orders (including the court's policy for Summary Judgment) previously entered by this judge, the provision contained herein shall be the effective provision.

Certificate of Service Compliance

The enclosed Certificate of Service Compliance **must** be completed by the designated attorney and filed with the Clerk of Court **within 7 from the date of this order** with a courtesy copy delivered to Mark Lehmann, Foreclosure Division Case Manager, 190 W. Governmental Center, 3rd Floor, Suite 34002, Pensacola, Florida 32502.

DONE and ORDERED in Escambia County, Florida, on this _____ day of _____, 2010.

John T. Parnham
Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact: Shelia Sims, 190 Governmental Center, 5th Floor, Pensacola, FL 32502 (850) 595-4400 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

ATTACHMENT NO. 1

Motion to Administratively Close the Case

ATTACHMENT NO. 2

Form Order Administratively Closing the Case

ATTACHMENT NO. 3

Certificate of Service Compliance

(Proposed)
Division "W" Procedures for Foreclosure Cases Filed in
Escambia and Santa Rosa County Florida

- (1) **Every** foreclosure case currently pending in Escambia and Santa Rosa County assigned to Division "W" (cases filed prior to December 31, 2010 and transferred to this division) will be scheduled for a Pretrial/Summary Judgment hearing by order of this court.
- (2) As an accommodation to the law firms, cases shall be scheduled in blocks of 50 at 8:00 a.m. and 1:00 p.m. Each participating law firm will be offered a number of dates and times which will be reserved solely for that firm provided they have 50 cases to schedule on that date and time. In the event we are unable to schedule 50 cases for your firm, we will attempt to divide up the blocks of time to minimize "downtime" for your attorneys and expense for you clients. Judge Brace and myself will attempt to coordinate our schedules to minimize unnecessary expense and time for your firm.
- (3) Mr. Mark Lehmann, Escambia and Santa Rosa County's Foreclosure Division Case Manager will be sending you a list of dates. **Please notify him by Monday September 20, 2010 which dates you have selected as well as the cases you want calendared for that date, if any.**
- (4) The firm will provide a list of pending cases in Division "W" in both Escambia and Santa Rosa including the case number, the attorney assigned to the case and the firms case number. **Please send the list to Mr. Lehmann by Monday September 20, 2010.**
- (5) As an accommodation to the court, you agree to designate a "point attorney" (must be an attorney) who will receive a pretrial order listing the case numbers for all the cases covered by said order. Upon receipt of

the order the "point attorney" will provide a copy of the order to the attorney assigned to the case and send a copy of the pretrial order and notice of hearing to each defendant. (thank you) This attorney will sign the "Certificate of Service Compliance" and file a copy with the Clerk of Court in each case.

- (6) The firm will ensure the attorney appearing at the hearing is familiar with each case and has internet access to the firm's records to avoid unnecessary delays responding to questions the court may have.
- (7) No hearing will be cancelled without approval of the court.

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA (SANTA ROSA) COUNTY, FLORIDA

Plaintiff,

vs.

CASE NO.:
DIVISION: "W"
JUDGE PARNHAM

Defendant(s).

_____ /

ORDER GRANTING MOTION TO ADMINISTRATIVELY CLOSE FILE

THIS CAUSE having come before the Court on Plaintiff's Motion to Administratively Close File and having reviewed the aforementioned documents, and being otherwise fully advised in the premises, it is

ORDERED AND ADJUDGED as follows:

1. Plaintiff's Motion is hereby GRANTED.
2. The Clerk of Courts is directed to remove this matter from the Court's active docket.
3. Any party to this action may move the Court for an Order Reinstating the Case to Active Status within 6 months from the date of this order and upon payment of the reopening fee.

DONE AND ORDERED in Chamber at _____ County, Florida on this _____ day of _____, 201_.

John T. Parnham
Circuit Court Judge (Senior Status)

Conformed copies to:
(All parties of record)

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA (SANTA ROSA) COUNTY, FLORIDA
CIVIL ACTION**

Plaintiff,

vs.

**CASE NO.:
DIVISION: "W"
JUDGE PARNHAM**

Defendant(s).

_____ /

MOTION TO ADMINISTRATIVELY CLOSE FILE

COMES NOW, Plaintiff, _____ by and through its undersigned attorney, and moves this Court for an Order Granting it's Motion to Administratively Close File, and in support thereof states as follows:

1. Plaintiff's residential mortgage foreclosure complaint was filed on _____.
2. Plaintiff and the homeowner(s) have entered into a negotiated agreement to resolve this matter.

WHEREFORE, Plaintiff respectfully requests this Court enter an Order Granting Motion to Administratively Close File.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to all parties listed on the attached service list on this _____ day of _____ 201_.

Plaintiff's Attorney

Cc: (Copies must be provided to all defendants)



From: Janet Gilbert

Sent: Wed, 22 Sep 2010 09:35:26 GMT

To: Amanda Bailey

Subject: RE: Urgent Info Needed

Great, thanks hope to come over soon. Enjoy your week.

Janet E. Gilbert
Sr. Deputy Court Administrator
First Judicial Circuit of Florida
190 Governmental Center Pensacola, FL 32502
(850) 595-0379 phone
(850) 595-3246 fax
janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Wed 9/22/2010 9:33 AM
To: Janet Gilbert
Subject: RE: Urgent Info Needed

Yes ma'am, I sent the spreadsheets on the 10th. If there is anything I can do to help, please let me know.

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Wednesday, September 22, 2010 9:25 AM
To: Amanda Bailey
Subject: RE: Urgent Info Needed

Thanks Amanda, for some reason the data Tallahassee sent my boss doesn't match what I Connie tallied from the data base. Just to be sure, you sent Okaloosa and Walton's spreadsheets to Tallahassee on 9/10/10. Correct?

Janet E. Gilbert
Sr. Deputy Court Administrator

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From: Amanda Bailey
Sent: Wed 9/22/2010 8:59 AM
To: Janet Gilbert
Subject: RE: Urgent Info Needed

Hi Janet,

For Okaloosa County, 28 had the Summary Judgment entered, 3 were dismissed and 10 were continued.
For Walton County, 18 had the Summary Judgment entered, and 4 were continued.

We also have 23 SJ hearings, and 18 LOP hearings set for today in Okaloosa County, plus 17 SJ hearings in Walton County tomorrow.

If you need anything else, please let me know.

Thanks!

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Wednesday, September 22, 2010 8:39 AM
To: Amanda Bailey; Mark A. Lehmann
Subject: Urgent Info Needed

Judge Terrell has a media call this morning at 11:00 and I need to know from each of you exactly how many cases your judge has disposed of to, broken down by type (SJ, dismissal, etc). Thanks

Janet E. Gilbert
Sr. Deputy Court Administrator
First Judicial Circuit of Florida
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From: Judge Keith Brace

Sent: Wed, 22 Sep 2010 20:08:08 GMT

To: Janet Gilbert

Subject: Re: Our New Website

I have been in conversation with Judge Parnham with regard to the policy and procedures that he is going to implement in Escambia & Santa Rosa counties. It is my intent to adopt the same policies and procedures for Okaloosa & Walton counties, therefore, there will be a consistent policy throughout Div. W in the 1st Judicial Circuit.
At the present time, I do not have any specific forms or orders.
Judge Brace

----- Original Message -----

From: Janet Gilbert

To: [REDACTED]; Judge Keith Brace

Sent: Tuesday, September 21, 2010 11:55 AM

Subject: Our New Website

Judges, we are in the process of developing a new website and I will need to know by next week what, if any, orders and forms you would like to have linked there for the Foreclosure and Economic Recovery Program. Thanks very much.

Janet E. Gilbert

Family Court Manager

Court Administration

1st Judicial Circuit of Florida

190 Governmental Center

Pensacola, FL 32502

Phone: 850-595-0379

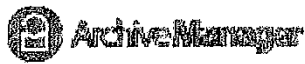
FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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From: Janet Gilbert

Sent: Fri, 24 Sep 2010 07:56:00 GMT

To: Amanda Bailey

Subject: RE: FERCTS

Before you do anything, please give me a call. Thanks

Janet E. Gilbert
Family Court Manager
Court Administration
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190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Thursday, September 23, 2010 4:04 PM
To: Janet Gilbert
Subject: RE: FERCTS

I may be able to figure it out, but all of the paperwork is in my desk in Crestview. Can I work on it tomorrow and let you know?

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
Okaloosa and Walton Counties
101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert
Sent: Thursday, September 23, 2010 3:55 PM
To: Amanda Bailey
Subject: RE: FERCTS

Yes, we need to enter all SJs and dismissals, and they would only be in FERCTS if you entered them. So I'm trying to get total of other judges and voluntary dismissals you entered before this month. Is that possible? Hopefully, we'll get better clarification on this from here out, now that Tallahassee is looking at it. Thanks

Janet E. Gilbert
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From: Amanda Bailey
Sent: Thursday, September 23, 2010 3:50 PM
To: Janet Gilbert
Subject: RE: FERCTS

Hi Janet,

We did not have any hearings until Sept. 15th, so Judge Brace did not enter a FJ on any cases before then. We may have had some voluntary dismissals, but I am not 100% sure how many. If there are FJs on FERCTS before Aug. 31st, it is probably from another Judge and I entered it into FERCTS when I had a spare moment. If I am not supposed to enter other Judge's FJ's into FERCTS, please let me know. I do apologize if I did something wrong.

Amanda Bailey
Court Program Specialist II
Foreclosure and Economic Recovery Program
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101 East James Lee Boulevard
Crestview, FL 32536

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From: Janet Gilbert
Sent: Thursday, September 23, 2010 3:24 PM
To: Amanda Bailey
Subject: FERCTS

Hi Amanda, I know you've been in court and I hate to bother you but we're struggling with this data. Are you able to tell me from your spreadsheet how many cases you SJ'd and how many you dismissed up to August 31st? Thanks for your help.

Janet E. Gilbert
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MORTGAGE FORECLOSURE DIVISION

Residential Mortgage Foreclosure Mediation Program (RMFM)

For the first time in the history of Florida courts, the Chief Judges from three Florida judicial circuits (the 1st, 11th and 19th Judicial Circuits) participated in a joint ceremony on February 26, 2010, which was conducted using video conferencing technology. A Florida Supreme Court Justice participated in the ceremony as well. The Chief Judges simultaneously signed administrative orders that implemented managed mediation for all owner occupied residential foreclosure cases filed in their circuits.

The three administrative orders were based upon the Florida Supreme Court Model Administrative Order (MAO), which promotes managed mediation for all trial courts statewide, and promotes consistency in the handling of owner occupied residential foreclosure cases statewide.

First Judicial Circuit Administrative Order 2010-01 and the notices listed below take effect for any owner occupied residential mortgage foreclosure case filed by or on behalf of a commercial lender in the First Judicial Circuit on or after March 29, 2010.

Any such case filed in the First Circuit before March 29, 2010 is subject to Administrative Order 2009-18 which is also listed below.

[Administrative Order 2010-01 \(77 pages\)](#)

[Escambia County - Notice](#)

[Santa Rosa County - Notice](#)

[Okaloosa County - Notice](#)

[Walton County - Notice](#)

[MAO History](#)

[Administrative Order 2009-18](#)

Foreclosure and Economic Recovery Program

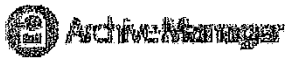
In July, 2010 a special division of the court was established solely for the purpose of reducing the backlog of mortgage foreclosure cases in the circuit. This division includes judges and case managers who actively review, manage

and dispose of backlogged foreclosure cases in the four counties of the circuit. Foreclosure actions filed prior to January 1, 2010 that are still pending with the court are being managed in this division per Administrative Order 2010-32 {link to AOs}. For more information on cases in Escambia and Santa Rosa County please contact Mark Lehmann; for cases in Okaloosa and Walton Counties please contact Amanda Bailey {link to staff directory}.

Links: Supreme Court Task Force on Residential Mortgage Foreclosures Cases
http://www.floridasupremecourt.org/pub_info/foreclosure.shtml

Clerk of Court for each county in first circuit
Escambia County: <http://www.escambiaclerk.com/>
Okaloosa County: <http://www.clerkofcourts.cc/>
Santa Rosa County: <http://www.santarosaclerk.com/>
Walton County: <http://clerkofcourts.co.walton.fl.us/>

Forms: Foreclosure Checklist for Attorneys



From: Amanda Bailey **Sent:** Fri, 24 Sep 2010 11:17:15 GMT
To: Janet Gilbert; Judge Keith Brace;
CC: [REDACTED]; Mark A. Lehmann;
Subject: RE: Meeting

I can be available whenever needed. Just let me know. ☺

Amanda Bailey
 Court Program Specialist II
 Foreclosure & Economic Recovery Program
 Okaloosa & Walton Counties
 101 E. James Lee Blvd.
 Crestview, FL 32536
 (850) 689-7329

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From: Janet Gilbert
Sent: Friday, September 24, 2010 9:17 AM
To: Judge Keith Brace; Amanda Bailey
Cc: Mark A. Lehmann; [REDACTED]
Subject: Meeting

Judge Brace and Amanda, are you available on Tuesday the 28th to meet with Judge Parnham, Mark and I. I thought we could go over the procedures each has developed, discuss any issues, etc. We could come to Crestview. Jut let me know. Thanks

Janet E. Gilbert
 Family Court Manager
 Court Administration
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 190 Governmental Center
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janet.gilbert@flcourts1.gov

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From: Janet Gilbert Sent: Fri,
 To: Brooke Jones
 Subject: Emailing: MORTGAGE FORECLOSURE DIVISION.doc, CHILD SUPPORT ENFORCEMENT.DOC, DV AND CIVIL INJUNCTION.DOC, FAMILY LAW MEDIATION.DOC, FAMILY LAW PRO SE.DOC, JUVENILE LAW

MEDIATION SERVICES PROGRAM.doc (29Kb) LIST FAMILY LAW LINKS.doc (19Kb) FAMILY LAW PRO SE.DOC (33Kb) DV AND CIVIL INJUNCTION.DOC (39Kb) JUVENILE COURT SERVICES.doc (26Kb) MORTGAGE FORECLOSURE DIVISION.doc (29Kb) FAMILY LAW MEDIATION.DOC (34Kb)

Hi Brooke, I hope we will have an opportunity to improve on this along the way. It is not as easy as one might think. Have a great Friday.

The message is ready to be sent with the following file or link attachments:

- MORTGAGE FORECLOSURE DIVISION.doc
- CHILD SUPPORT ENFORCEMENT.DOC
- DV AND CIVIL INJUNCTION.DOC
- FAMILY LAW MEDIATION.DOC
- FAMILY LAW PRO SE.DOC
- JUVENILE COURT SERVICES.doc
- LIST FAMILY LAW LINKS.doc
- MEDIATION SERVICES PROGRAM.doc

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine which file types are allowed.



From: Janet Gilbert

Sent: Fri, 24 Sep 2010 11:56:00 GMT

To: Amanda Bailey

Subject: RE: Meeting

Thanks Lady, I'll wait to hear back from Judge B and let you know.

Janet E. Gilbert

Family Court Manager
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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From: Amanda Bailey

Sent: Friday, September 24, 2010 11:17 AM

To: Janet Gilbert; 'Judge Keith Brace'

Cc: Mark A. Lehmann; 'parham [REDACTED]'

Subject: RE: Meeting

I can be available whenever needed. Just let me know. ☺

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
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From: Janet Gilbert
Sent: Friday, September 24, 2010 9:17 AM
To: Judge Keith Brace; Amanda Bailey
Cc: Mark A. Lehmann; parnham [REDACTED]
Subject: Meeting

Judge Brace and Amanda, are you available on Tuesday the 28th to meet with Judge Parnham, Mark and I. I thought we could go over the procedures each has developed, discuss any issues, etc. We could come to Crestview. Just let me know. Thanks

Janet E. Gilbert
Family Court Manager
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1st Judicial Circuit of Florida
190 Governmental Center
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From: Janet Gilbert

Sent: Wed, 29 Sep 2010 10:00:01 GMT

To: Mark A. Lehmann; Amanda Bailey;

Subject:

 WEEKLY REPORT.DOC (30Kb)

Okay, here is the updated report to include total to date. Please take from your spreadsheets each Monday for the week before and email to me. I'll consolidate and get to Robin for Chief Judge meeting every Wednesday. Thanks for all your hard work and frustration you're having to endure. It has to get better soon. :)

Janet E. Gilbert
Sr. Deputy Court Administrator
First Judicial Circuit of Florida
190 Governmental Center Pensacola, FL 32502
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janet.gilbert@flcourts1.gov

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**FORECLOSURE AND ECONOMIC RECOVERY PROGRAM REPORT
WEEK OF SEPTEMBER 27 - OCTOBER 1, 2010**

COUNTY	HEARING DATES THIS WEEK	CASES DISPOSED THIS WEEK	TOTAL CASES DISPOSED TO DATE	TOTALCASES SET FOR HEARINGS ON FUTURE DOCKETS
Escambia				
Santa Rosa				
Okaloosa				
Walton				

Comments:



From: Janet Gilbert
Sent: Mon, 11 Oct 2010 08:15:20 GMT
To: Robin Wright
Subject: RE: Clarification of Foreclosure Reporting Requirements

ESC Tracking Form.xls (24Kb)

No, we are tracking them per the attached tracking form. Please let me know if you want me to add that category to the weekly report as well. Thanks

Janet E. Gilbert
Sr. Deputy Court Administrator
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246
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From: Robin Wright
Sent: Monday, October 11, 2010 8:08 AM
To: Janet Gilbert
Subject: FW: Clarification of Foreclosure Reporting Requirements

Would it be difficult to track cancelled/continued cases?

From: P.J. Stockdale [<mailto:stockdap@flcourts.org>]
Sent: Friday, October 08, 2010 2:22 PM
To: Trial Court Administrators
Cc: Kristine Slayden; Arlene Johnson
Subject: Clarification of Foreclosure Reporting Requirements

Trial Court Administrators,

Thank you for your participation in yesterday's phone call. We appreciate your patience and insight into these projects.

I would like to summarize the issues discussed yesterday concerning the reporting requirements for the Foreclosure and Economic Recovery Case Tracking System (FERCTS) workbooks.

In the interest of keeping the project manageable while still satisfying the essential reporting requirements:

+ The importance of the 62% target numbers have been clarified to better reflect the goals of the initiative and the mission of the courts. The target numbers provide a goal to shoot for but should not be emphasized to the detriment of a fair and meaningful adjudicatory process.

+ In order to reduce the workload impact of the reporting component, circuits do not need to report the dates of reopen or reopen closed events. If a case that was disposed prior to July 1, 2010 that does not already appear in your application workbook is reopened, this case does not need to be added to the workbook.

+ It is still important that we track the number of cases achieving final disposition. Therefore, new cases that are opened after July 1, 2010 will need to be added to the application as appropriate.

Existing cases achieving final disposition should also be updated and reported.

+ As discussed, several mortgage companies within the state are enacting a voluntary moratorium on their foreclosure proceedings while they review their internal procedures. In many parts of the state, this will affect a significant number of cases currently being processed by initiative staff. While some concrete statistics on the number of cases affected would be useful, the additional workload required to report this circumstance does not justify the result. Active cases affected for more than thirty days by these voluntary stoppages should be reported in the "Inactive - Other" status category in the FERCTS workbook. Initiative staff are encouraged to identify cases affected by a moratorium in the comments field but this is not required.

We are open to suggestions from the circuits as to how we might obtain some hard numbers to help us better understand the impact of these moratoria.

Many jurisdictions report that they have enough cases not affected by the moratoria to keep initiative staff busy.

Thanks again for your input. Please contact myself or Kris if you have any questions or comments.

PJ

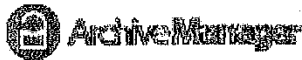
PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
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ESCAMBIA COUNTY

Date of Hearing	7/2/2010	8/19/2010	9/2/2010	9/2/2010	9/16/2010	10/7/2010	10/20/2010	10/21/2010	Total
ESCAMBIA COUNTY									
Type Hearings Scheduled	LOP	MSJ	MSJ	LOP	MSJ				
Final Judgment Entered		34	28		28				90
Dismissed	48	1	1	22	9				81
TOTAL CASES CLOSED	48	35	29	22	37				171
Continued	8	6	11	5	16				46
Cancellations		7	6		7				20
Other	3		1		2				6
TOTAL CASES PROCESSED	59	48	47	27	62	0	0	0	243
Date of Hearing	11/4/2010	11/17/2010	11/18/2010	12/2/2010	12/16/2010				
LOP or MSJ									
Total # of Cases Heard									
Final Judgment Entered									
Dismissed									
Total Closed cases									
Continued									
Cancellations									
Other									



From: Janet Gilbert
To: Amanda Bailey
Subject: RE: Quick question

Sent: Mon, 11 Oct 2010 11:28:00 GMT

Gotcha, more heard than scheduled. I'm getting this system down. If I just get the dockets, I'll keep up the spreadsheets and reports. One less thing you need to worry about. A question came up with Mark about getting dismissals or other matters during a week, that are not docketed. Like when the judge gives so many days to provide MSJ or dismiss and the case is dismissed. Please just add the data to the court date that week, or the next if there is no court that week. Thanks for all you do.

BTW – I'm going to try and find an intern to work with you. Are you okay with that?

Janet E. Gilbert
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Phone: 850-595-0379
FAX: 850-595-3246
janet.gilbert@flcourts1.gov

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From: Amanda Bailey
Sent: Monday, October 11, 2010 11:23 AM
To: Janet Gilbert
Subject: RE: Quick question

No, when I originally compiled the data, I included my Oct. 5th hearings as future hearings. The new number reflects all hearings set from Oct. 5th forward.

Amanda Bailey
Court Program Specialist II
Foreclosure & Economic Recovery Program
Okaloosa & Walton Counties
101 E. James Lee Blvd.
Crestview, FL 32536
(850) 689-7329

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From: Janet Gilbert
Sent: Monday, October 11, 2010 11:16 AM
To: Amanda Bailey
Subject: Quick question

Hey Amanda, just noticed the number of hearings scheduled for Okaloosa went down, from 257 to 235. Is that due to cancellations? Thanks

Janet E. Gilbert

Sr. Deputy Court Administrator
Court Administration
1st Judicial Circuit of Florida
190 Governmental Center
Pensacola, FL 32502
Phone: 850-595-0379
FAX: 850-595-3246

janet.gilbert@flcourts1.gov

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From: Deborah McIntyre **Sent:** Wed, 08 Apr 2009 13:31:26 GMT

To: Judge Santurri; Deborah McIntyre; Fern Pearson; Janet Gilbert; (Julie_Edwards@sa01.org); Frederick Longmire; Judge Goodman; Judge Swanson; Judge Bergosh; Brenda Fisher; Jessica Milstid; Denise Garner; Darlene Maynard; Paul Napier; Jack Onkka; Paul Wallis; Christa Pate; Judge Bilbrey; ramsey long; Rosemary Ash; Jeanna Olson; Shawn Rublin; Kathy Simmons; Carmela Porter; Adair Cotton; Daniel Hahn; Antonello Bucci; Magistrate McIver; Catina Willson; Judge Hilliard; Janice Thomas; Patricia Franklin; Linda Roush; Cindy Sarver; Chuck Albeck; Tammy Moore; Brenda VanBrussel; Donna Flournoy; Jim Goff; Randy Werre; Chief Peter Paulding; Gayle Ryba; Jennifer byrom; Stephen T. Holman; Shawn Fitzpatrick; Mary Johnson; Marc Ward; Amy Davis; Andrea Hopmeier; Angela Dunn; Bill Lawson; brandie glasscock; Brenda Robinson; Carol Freeman; Cathy Powers-Sears; Charles Hildebrand; Charlotte Thomas; Christie Griffin; Connie Edgar; Deann Crain; Debbie Laird; Debbie McBride; Debra Dougherty; Ed Stranahan; Fred Sulzabach; Glenn Rohrer; Greg Walker; Gwyn Rhodes; Jeffery Brothers; Jenea Highfill; Jenn Irwin; Jennifer Cox; Jill Gentry; Jim Hartnett; Judy Bassett; Judy Naler; Julia Cassidy; Julia Pearsall; Karen Jordan; Kelly Stone; Kelly Tolbert; Kirsten Bucey; Kristen Klein; Kristin Webb; Louis Cooper; Lt. David Cox; Mark Mcanally; Martina Leverett; Mary Beth Washnock; Melissa Bracken; Melissa Stankard; Mia Angela Adams; Micheal Douglas; Mike Zeigler; Nancy Grantham; Nancy Model; Nancy Sandler; Nancy Wolfe; Nicole Ellis; Pat Altenburg; Patty Babcock; Paul Campbell; Phil Waltrip; Phyllis Gonzalez; Rhonda O'Kelley; Rob Bonicioli; sandra Long; Sarah Elhoffer; Sharon Deloatche; Shirley Cornett; Sidney King; Sondra Gingerich; Stacy Johnson; Stephanie Broadnax; Stephanie Saylor; Sue Pardue; Susan Nelms; Suzanne Kaschak; Tamara Talmadge; Tammy Burton; Tara Kelley; Terri Marshall; Terry Light; Terry Merrell; Tim Rowell; Tina Balbas; Tonya Ellis; Traci Ritchev; Wanda Kelley;

CC: randy_fleming@dcf.state.fl.us

Subject: FW: Santa Rosa Homeless Prevention Application

administrative agency application - Santa Rosa.doc (139Kb)

Please see below...

-----Original Message-----
From: Randy Fleming [mailto:Randy_Fleming@dcf.state.fl.us]
Sent: Tuesday, April 07, 2009 10:36 AM
To: Deborah McIntyre
Subject: Fw: Santa Rosa Homeless Prevention Application

Deborah,

Janice Thomas asked me to send you information on how the Homeless Prevention funds will be used. In the email below is the application the coalition is using to determine who will be the lead agency to administer these funds. There is a brief description of how the funds will be used. More information is available in the Notice that HUD provided. I've included a link to the notice at the bottom of this message.

Thanks,
Randy

<http://www.hud.gov/recovery/hrp-notice.pdf>

 Randall N. Fleming
 Community Relations Consultant
 Florida Department of Children and Families, Circuit One
 Office (850) 595-8075 Fax (850) 595-8026

----- Forwarded by Randy Fleming/D01/DCF on 04/07/2009 10:29 AM -----

UniVisGrp@aol.com

03/30/2009 07:01

To

AM

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rlamon@srso.net,
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District3@co.escambia.fl.us,
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RRichburg@bhcpns.org,
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danielh@santarosa.fl.gov,
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clongmire@elcescambia.org,
judy@lsnf.org,
Hartnett@elcsantarosa.org,
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johnpaul.buchanan@teenchallengepensacola.com, heyheypaula@cox.net,
mbreault@waterfrontmission.org,
k.leon42@yahoo.com,

bushc@cc.ptdiocese.org, Lisa
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isboaz1940@bellsouth.net,
patt7850@cox.net,
Marianne@unitedwaysrc.org,
MCooper@bhcpns.org,
NYoung@bhcpns.org

cc

Subject

Santa Rosa Homeless Prevention
Application

Friends,

Attached please find the application for any entity that meets the eligibility requirements to apply to serve as the single administrative organization to manage the distribution of \$461,515 in Homeless Prevention funds in Santa Rosa County.

As described in previous emails, we need an organization that has:

1. Demonstrated experience in all geographic areas of Santa Rosa County;
2. Demonstrated capacity to immediately determine eligibility for these funds and disburse them quickly, with clear, coordinated documentation and comprehensive case management.
3. Ability to enter all clients who receive these funds into the ECOH HMIS data system.

Anyone who chooses to apply must have that application into the ECOH offices before next Monday, April 6 (as described in the application). A non-involved committee will review the applications and determine the chosen organization within 2 days thereafter. The chosen entity will work with ECOH to submit its application to the state on or before Monday, April 13.

Most of the directives ECOH has received from the state have had very short time frames and have been complex, thus requiring numerous clarifications from the state. There are a couple points still being clarified, and we will forward any updates we get to this whole elist.

If you have any questions, please call me at 850.255.5580. I will be on the road to and from a HUD conference in Jacksonville from Monday (March 30) until Thursday (April 2), but will get back to you as quickly as I can. My email will be sporadic at best.

May this process and the subsequent disbursement of funds be to the growth and betterment of many in Santa Rosa County.

PEACE,

Brunie Emmanuel, Director
EscaRosa Coalition on the Homeless
P.O. Box 17222
Pensacola, FL 32522
850.439.3009
C: 255.5580
E: Director@ECOH.gccoxmail.com
www.ecoh.org

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!(See attached file: administrative agency application - Santa Rosa.doc)

NOTICE: Florida has a broad public records law. Most written communications to or from state officials are public records that will be disclosed to the public and the media upon request. E-mail communications may be subject to public disclosure.

2009-11 Homeless Prevention Fund Application for
Santa Rosa County
EscaRosa Coalition on the Homeless

Introduction

In February, 2009, the US Congress passed and the President of the United States signed into law the American Economic Recovery and Reinvestment Act, of which \$1.5 billion was set aside for the Homeless Prevention and Rapid Rehousing Fund. These funds are available to expend until September, 30, 2011. (HUD link: <http://www.hud.gov/recovery/hrp-notice.pdf>)

Based on the allocation designed by the US Congress, some counties received a direct allocation from HUD (e.g., Escambia), and some will be distributed by formula from the states (e.g., Santa Rosa). For those latter "formula" levels of city & county government, \$21,501,109 is the total amount to be administered through the Florida Department of Children and Families Office on Homelessness. These funds are designed to assist cities and counties not covered through direct allocation (those 18 counties and 13 cities entitled to automatic funding through the Emergency Shelter Grant Program).

Of the \$21,501,109 allocated to the state for dissemination, \$1,075,355 is being set aside for the state's administrative expenses. An additional \$8,172,702 will be awarded competitively following the first grant year, based on documented unmet needs and the demonstrated capacity of the applicant to expend grant awards in a timely manner.

Thus, the Office on Homelessness is allocating \$12,259,052 to the counties not directly funded through HUD, based on formulas set by the state and weighing factors of relative need. The state has announced an allocation of \$461,515 for Santa Rosa County.

This allocation must be administered through a single entity that can fairly distribute funds to all geographic areas within Santa Rosa County in a timely manner.

Grantees must expend at least 60% of the funds within 2 years of the date funds become available for their obligation. Grantees must expend 100% of the funds within 3 years of such date. The HUD Secretary may recapture unexpended funds in violation of the 2-year expenditure requirement, and reallocate those funds.

The Florida Department of Children and Families reserves the right to set more stringent spending targets, and may recapture money not spent timely as early as at the end of the first 12 months following grant award.

Funding Limits

Applications must adhere to the amounts set by the state, and be able to demonstrate that funds will be appropriately distributed within the county for which they have been designated. Thus, budgets should detail spending plans for \$461,515 for Santa Rosa County over a 3-year period.

Eligible Grant Uses

According to documents distributed by the Florida Department of Children and Families, Office on Homelessness, the Homeless Prevention Funds shall be used for the activities allowed in the Act to assist households facing the potential of becoming homeless:

- A. Provide short-term and medium-term rental assistance;
- B. Provide housing relocation and stabilization services, including: housing search, mediation or outreach to property owners; legal services, credit repair, resolution of security or utility deposits, utility payments, rental assistance for a final month at a location, and moving cost assistance;
- C. Other appropriate homeless prevention activities.
- D. Rapid Re-Housing of persons who become homeless.

[Note: According to information provided by the Office on Homelessness, child care is considered an appropriate homeless prevention activity; the costs of obtaining employment are not. Interested agencies should keep this in mind when preparing a budget and description of case management functions.]

The state shall further require that a majority of the Prevention Funds are used for direct assistance to the households facing homelessness, and minimize the use for staffing costs funded by the grant.

In addition to its eligibility guidelines for individuals to receive the allocated funds, the state strongly encourages local grantees to develop additional eligibility requirements that reflect the needs and culture of those geographic areas. For example, a course in Financial Literacy may be a required activity for any individual or family that receives more than one month of rental assistance through these funds in Santa Rosa County.

Target Population As Prioritized by Federal and State Guidelines

Households impacted by the current recession shall be given preference in the assistance. This would include those who:

- A. Are unemployed, lost a second job, or had work hours reduced;
- B. Are on fixed incomes;
- C. Have income that is below the poverty level;
- D. Face eviction due to foreclosures;
- E. Households with minor children living in the home/apartment.

As the designated coordinating entity in Santa Rosa County, the EscaRosa Coalition on the Homeless (ECO) may supplement these criteria by clarifying that, in accordance with the intent of the federal law, economic impact must be related to the recession which officially began in December, 2007, and may include significant reduction in salary independent of the number of hours worked. Further, elimination of essential benefits, such as health insurance, which have contributed to loss or risk of housing loss may also be considered as a reason for homeless prevention fund assistance.

Administrative Funds

The \$461,515 for Santa Rosa County does not include any funding for administrative purposes. Applicants should base their application on the assumption that no administrative dollars will be forthcoming.

Time Line

Notice of funding allocations and a request that the lead agencies of the 15 continuums of care participating in the state prevention plan convene meetings of local agencies and interested parties to develop a Homeless Prevention Plan was sent out from the Office on Homelessness and states that the Prevention Plan must be submitted to the state by April 15, 2009.

An initial meeting of local agencies and interested was held on Friday, March 27, 2009, to set out procedures for determining the administrative entity. Community stakeholders from throughout the two-county EscaRosa area were invited to be in attendance. ECOH has reviewed the components of the plan requested by the Office on Homelessness, and, using state-delineated elements, set out criteria for the application itself as described below.

The application as constructed by ECOH was released by e-mail to the ECOH membership, posting to its web site, and distributed to local newspapers, on the afternoon of March 30.

Deadline for application completion and submittal is 1 week later - April 6. Applications brought to the ECOH office (in the Brownsville Baptist Church in Pensacola, FL) or mailed to P.O. Box 17222, Pensacola, FL 32522 must be in the office by 2:00 p.m. on April 6.

No late applications will be accepted. Applications may be brought in person or mailed. Faxed applications will not be accepted, due to legibility issues, and e-mail versions will not be accepted as they do not carry an original signature.

Evaluation

The completed applications will be referred to a review committee, chaired by a disinterested member of ECOH (one who has not, and will not, apply for funding through ECOH). The review committee itself will be recruited by the chair, and will be composed of members of the public having no ties to agencies eligible for funding. The review committee, using evaluation criteria based on the application, will determine its recommendation for one administrative agency, which will then be submitted to the ECOH Board of Directors for approval.

In the absence of any applications, or any applications meeting threshold criteria based on the state's description of required elements, ECOH will become the administrative entity by default.

Any questions about the grant application may be addressed to Brunie Emmanuel, 850-255-5580 or by e-mail (Director@ECOH.gccoxmail.com) prior to the end of business on Friday, April 3.

The independent, impartial review committee will convene between April 7-8, to score applications and make recommendations for funding to the ECOH Board of Directors. The Board of Directors will receive recommendations and vote on acceptance of the review

committee report. Should a member of the Board of Directors have an interest, financial or otherwise, in an agency submitting an application, that member will be recused from the deliberation and vote on this issue.

Announcement of the single administrative agency will be made on April 8.

The agency that is chosen to serve as the administrator for these funds will have until April 13 to complete the application to the state for these funds for Santa Rosa County. ECOH will work with that agency to complete that application in an excellent and expeditious manner.

Format Instructions:

The grant application should be brief and concise, no longer than 15 single-spaced pages. Break up long paragraphs and use white space between questions and answers to assist the reviewers in reading the application. Use 12 point font, preferably Arial or Times New Roman, with one inch margins. Please delete pages 1-3, and descriptive language from the application portion of the grant prior to submission. A good rule of thumb is to delete anything in regular, as opposed to bold, type.

Fatal Flaws

- 1) **Failure to meet deadline of April 6, 2009.**
- 2) **Failure to adhere to formatting instructions**
- 3) **No signature on the final application page.**
- 4) **Failure to achieve a scoring threshold of at least 75 points.**

Preference

The intent of the Homeless Prevention Fund is to secure fair and timely fund distribution to eligible clients. Thus, the evaluation process gives great weight to the following:

Ability to provide verifiable evidence of established organizational presence, partnerships and/or networks in all geographical areas of Santa Rosa County.

**2009-2011 Application for
Administrative Agency for Homeless Prevention/ Rapid Rehousing Funds
Allocated to Santa Rosa County
Issued by EscaRosa Coalition on the Homeless**

Applicant Organizational Name:

Applicant Address:

Applicant Contact Name:

Contact Information: Phone:

Email:

1. Document experience and **capacity of agency to initiate immediate homeless prevention fund disbursement**, with special attention to the following (35 points)
 - a) Identify current points of service in each of the major geographic areas of Santa Rosa County;
 - b) List verifiable sources of client referral in each of the major geographic areas, including contact names and telephone numbers;
 - c) Identify demographics of current client composition, including general income level; single, divorced, separated or married; percentage of households with children; client age range, and geographic distribution of current clientele;
 - d) List services offered to households facing imminent homelessness – to include number of clients provided assistance with rent, utilities, deposits, and other allowable items as set forth by the economic stimulus plan and the Office on Homelessness;
 - e) Identify partner entities that can provide referrals and service links to enhance client outcomes;
 - f) Delineate any other efforts to ensure community involvement in executing fund administration.
2. Describe the methodology for **local education and outreach efforts** to communicate with those households at risk for losing their home or apartment (5 points)
3. Delineate **case management** functions, to include tracking of clients, communication with referring entities, and reporting of outcomes. Describe how case managers will ensure funds are spent for eligible uses, and are appropriate to the individual client.
4. Agencies are encouraged to incorporate all intake, tracking and exit information contained in the forms created through the ECOH planning process, and attached to the application as an appendix. (15 points)

5. Provide a **detailed budget**, broken down by grant year and eligible uses, with special attention to the following **(25 points)**
 - a) Amount of funds designated per use (i.e., for rent, utilities, moving costs, credit repair, deposits)
 - b) Amount of funds designated for case management, including number of staff paid out of prevention funds, salary and benefit schedule (note that the state requests that preference be given to agencies minimizing salary items)
 - c) Provide draw-down schedule for quarterly withdrawals
 - d) Fiscal monitoring procedures currently in place to ensure full compliance with government accounting and transparency rules
 - e) Past experience with state and federal grants, including lists of said grants and outcomes achieved.

6. Provide method for ensuring all clients are entered into the **homeless management information system**, including designating a staff position responsible for data entry, report management, and getting training required for HMIS entry **(20 points)**

7. Provide a copy of the applying organization's most recent audited financial statement.

Signature:

To the best of my knowledge and belief, all data in this proposal is true and correct.

Authorized Signature:

Title: _____ **Date** _____

Appendix 1:

Allowable Costs:

- Homeless prevention or rapid rehousing costs, including but not limited to: payment of rent and/or utilities, rent and/or utility deposits, moving expenses, emergency child care, loan and credit renegotiation, legal expenses related to retaining housing.
- Costs associated with program function, such as salaries for case management, client-related travel (i.e., taking a client to see housing options); costs associated with HMIS data entry.

Non-Allowable Costs:

- Cash payments to homeless persons
- Payments for services reimbursed by another funding source
- Payments related to job search or employment skill building
- Mortgage payments or legal expenses related to foreclosure
- Payments for clients not meeting eligibility criteria (such as chronically homeless)
- Inherently religious materials, including but not limited to: Bibles, worship guides, hymnals, Bible Study curriculum, or Communion wine
- Weapons
- Alcohol, tobacco or other drugs

Appendix 2

Draft Homeless Prevention Plan EscaRosa Coalition on the Homeless

(1) Outreach

Once the EscaRosa Coalition on the Homeless has received word as to how much funding will be allocated for the Santa Rosa County area, and when it will start being distributed to the various Continuums of Care throughout the state, ECOH will work through the coordinated efforts of its membership to alert prospective clients of fund availability and potential use.

Outreach efforts may include the following:

- Media releases: press releases, TV and radio public service announcements
- Posting of flyers at faith-based and non-profit points of service, libraries, JobsPlus, Department of Children and Families, college campuses and vocational training schools throughout the region.
- Alerts to United Way First Call for Help
- Posting on ECOH web site and linked sites (city, county governments; non-profit web sites).

All flyers, press releases, etc. should be specific as to eligibility criteria, allowable uses for funding, how to initiate intake, maximum assistance limits.

(2) Intake

An intake form has been developed to reflect essential demographic information, required documentation for eligibility determination, and reasons for seeking assistance. The eligibility determination is consistent with the language contained within the American Recovery and Reinvestment Act, restricting eligibility to persons facing homelessness (as opposed to already homeless) due to economic stress caused by the current financial downturn. Examples of economic stress would be job loss or significant reduction of hours and/or salary. The completed intake form will be placed on the ECOH (www.ecoh.org) web site, and distributed to all faith-based and non-profit service providers wishing to serve as partners in this endeavor.

Potential clients may download intake forms from the web site, or request them from their primary service providers. Service providers may assist clients in gathering all required documentation, or may simply refer clients to the (*chosen single administrative entity*) office. Once all documentation has been received, (*chosen single administrative entity*) staff will have five business days to verify eligibility and to contact the client. For clients whose phones have been disconnected, a service provider may volunteer to serve as a point of contact.

The intake form in its final form will be signed by the client and an agent of (*chosen single administrative entity*), and will contain language allowing (*chosen single administrative entity*) to verify documentation and consult with referring agencies, should that be appropriate and in the client's interest. (*chosen single administrative entity*) will not breach confidentiality relating to HIPPA (Health Insurance Portability laws), and will not seek information related to health, mental health, substance abuse or domestic violence beyond what the client freely discloses.

(3) Case Management and Monitoring

Clients accepted for homeless prevention benefits will be allowed an initial three-month period, during which (*chosen single administrative entity*) case managers may pay rents, utilities, deposits, and enroll clients in financial management courses, credit card and/or mortgage loan renegotiation services, or other services designed to prevent the clients from falling into homelessness. As based on the economic stimulus bill language, this may also include legal fees for landlord/tenant negotiation and financial institution/ mortgagee default mediation. The amount of assistance will be determined by economic circumstances faced by the individual client. (*chosen single administrative entity*) will ascertain total income (unemployment benefits, child support, SSI/SSDI, etc.) and apply it to rental or mortgage rates. As a general rule, (*chosen single administrative entity*) will pay any portion of the rent exceeding 30% of total monthly income. Exceptions for greater or lesser amounts may be made at the discretion of the case manager, following consultation with his or her supervisor.

Clients will work with case managers to set goals for achieving sustainability and self-sufficiency for the long term, to include registration with Workforce EscaRosa for services such as job search, technical training, skill certification and assistance in resume writing and interviewing techniques, and the application for mainstream benefits. The case manager will meet with the client as required to ensure progress toward meeting goals, and to provide assistance when necessary (i.e., help client apply for Pell Grant, subsidized child care).

Although case managers have, at their discretion, the ability to devise a three-month assistance plan for client, they are not required to provide assistance for the entire three months should such assistance not be deemed necessary. Such decisions will be discussed with the case manager's supervisor prior to implementation.

At the end of three months, the case manager will bring the client's history to a review committee, with a brief overview of client progress and income status. In the majority of cases, clients will be expected to begin paying a substantially higher portion of their expenses as compared to those offered through homeless prevention dollars. In these cases, the client presentation will be for information only, and the clients reduced benefits extended for an additional three months. Should the client need to maintain a higher level of support, the review committee will be asked to make a determination if this is in the best interest of the client, the grant goals and the larger community, and if so, what level of additional funding should be awarded.

Appendix 3

Client Identifier:

HOMELESS PREVENTION FUND INTAKE FORM

<p>Employment/ job skills</p> <p>Education Level:</p> <p>Vocational Training :</p> <p>Occupations :</p>	<p>Client Name:</p> <p>Sex <input type="checkbox"/> Male <input type="checkbox"/> Female</p> <p>Date of Birth SS Number:</p> <p>City/State of Birth</p> <p>Marital Status Single Married Div. Sep. Widowed</p> <p>Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No What War?</p> <p>Race:</p> <p>Contact Info:</p> <p>US Citizen Yes <input type="checkbox"/> No Legal Resident Yes No</p>
--	---

Date: _____

Interviewer: _____
(Face to Face/ Phone)

List Other Household Members:

Last Name	First Name	Sex [M/F]	DOB	Relationship

Housing Status:

3-day eviction notice Foreclosure Notice Notice of Delinquency Other _____

Type of Documentation provided:

Notice of delinquency on utility Notice of utility shut-off?

Type of Documentation provided:

Employment Status

Job Loss Reduction in Hours Reduction in Salary

Date: _____ Type of Documentation provided:

Registration with Workforce EscaRosa Yes No Verified? _____

Other Sources of Income (monthly amounts)

Unemployment Child Support _____ SSDI _____ Social Security _____ TANF _____

Other _____

Total income per month:

Type of Documentation provided:

Ratio of rent/ income (percentile):

Immediate Needs:

Long-Term Needs:

Consent to Release Information:

For the purposes of case processing, I hereby authorize (***chosen single administrative entity***) and its agents to check and verify the information provided, and to provide updates to the referring agency, if any. I understand that this information will be kept confidential. I may revoke this consent in writing at any time except to the extent that action has already been taken in reliance thereon. This consent, unless expressly revoked earlier, will expire upon termination of services. I further attest that the information provided has been true and accurate to the best of my knowledge, and that discovery of false statements may result in termination of assistance.

_____ **Date**

_____ **Signature of Client**

Referred By:

Action Taken:

Other Agencies Contacted:

Photo ID on file ____ Y ____ N

Data Entered into HMIS by _____ on _____.

Initials

date

Notes:

Appendix 4

Client Identifier: _____

HOMELESS PREVENTION FUND TRACKING FORM

Potential Obstacles to Employment:	Client Name: _____
	Goal 1: Housing
	Goal 2: Jobs
	Goal 3: Other
Case Manager: _____ (Face to Face/ Phone)	

Financial Assistance:				
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Date: _____	Rent: _____	Utilities: _____	Deposits: _____	Other: _____
Year to Date:	Rent: _____	Utilities: _____	Deposits: _____	Other: _____

Referrals:

Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:
Agency:	Date:	Results:

Data Entered into HMIS by _____ on _____, Initials _____ Date _____

Case Manager Progress Notes:

Date: _____ Time: _____

Immediate Goals:

Long-Term Goals:

Recommendations:

Case Manager Signature

Appendix 5

Client Identifier:

HOMELESS PREVENTION FUND EXIT FORM

Summary Notes:	Client Name:
	Goal 1: Housing
	Goal 2: Jobs
	Goal 3: Other
Date: _____	
Case Manager: _____	
Client: _____	

Follow-up Contacts (at least two in the six months following program exit):

Date: _____ **Time:** _____
Client Status: _____

Case Manager: _____



From: [Robin Wright](#) **Sent:** Thu, 14 Jan 2010 10:46:20 GMT
To: [Janet Gilbert](#)
Subject: FW: Economic Default Recovery Effort

[EconomicDefaultRecoveryEffort Distribution.xls \(32Kb\)](#) [Circuit 1 Detail.pdf \(19Kb\)](#)

From: Heather Thuotte-Pierson [mailto:piersonh@flcourts.org]
Sent: Wednesday, January 13, 2010 8:18 AM
To: Robin Wright
Cc: Arlene Johnson
Subject: FW: Economic Default Recovery Effort

Attached is the backlogged case data by county for the 1st circuit. Thanks. Heather

From: Arlene Johnson
Sent: Wednesday, January 13, 2010 9:18 AM
To: Heather Thuotte-Pierson
Subject: RE: Economic Default Recovery Effort

See attached

From: Heather Thuotte-Pierson
Sent: Wednesday, January 13, 2010 8:15 AM
To: Arlene Johnson
Subject: FW: Economic Default Recovery Effort

Another request. Thanks.

From: Robin Wright [mailto:Robin.Wright@FLCOURTS1.GOV]
Sent: Tuesday, January 12, 2010 5:16 PM
To: Heather Thuotte-Pierson
Subject: RE: Economic Default Recovery Effort

Heather,

Do you have any of the caseload backlogged case reports by county in each circuit? We are have a hard time getting a handle on the allocation in each county.

Thanks,

Robin

From: Heather Thuotte-Pierson [mailto:piersonh@flcourts.org]
Sent: Monday, January 11, 2010 12:03 PM
To: Trial Court Administrators

Cc: Lisa Goodner; Sharon Buckingham; Kristine Slayden; Patty Harris; Theresa Westerfield; Arlene Johnson; Charlotte Jerrett; Greg Youchock; Elizabeth Garber
Subject: Economic Default Recovery Effort

TCA's -

As discussed at the December meeting, the TCBC is requesting non-recurring funding authority from the Legislature for an Economic Default Recovery Effort, which will be filed as a supplemental FY 2010/11 LBR issue. These funds will be used to provide temporary resources in the trial courts to eliminate backlog in several civil areas, including cases involving mortgage foreclosures, real property, contracts and indebtedness, and county civil valued from \$5,001 to \$15,000.

The funding methodology developed for this Effort is based on the number of backlogged cases (in the aforementioned civil areas) in each circuit. A ratio of one General Magistrate, one Case Manager and two Administrative Support positions for every 15,000 backlogged cases was applied to estimate need. One Administrative Support position is dedicated to mediation for the coordination of civil cases covered under this Effort with the exclusion of residential homestead mortgage foreclosure cases. The annual salaries used to calculate the allocation amounts were approximately: \$79,688 for General Magistrates, \$39,126 for Case Managers, and \$26,090 for Admin Support.

You will find the estimated allocation amount for your circuit in the attached PDF file - Economic Default Recovery Effort. Please indicate, using the attached Economic Default Recovery Effort _ Distribution spreadsheet, how you would like the funds for your circuit distributed - by category and element. For every element (General Magistrates, Case Managers, General Magistrate Admin Support and Mediation Admin Support) specify the dollar amount and category in which the funds should be allocated - OPS, contracted services and/or expenses dollars. To allow for maximum flexibility, funds may be expended in one or all of the elements. Also, funds dedicated to the General Magistrate element can be allocated as Senior Judge Days if preferred.

As usual we are under a tight timeframe for this Effort. Please respond by Thursday, January 14, C.O.B.

Please let me know if you have any questions or concerns.

Thanks,
Heather

Heather Thuotte-Pierson
Office of the State Courts Administrator
Court Statistics Consultant
(850) 410-3376
piersonh@flcourts.org

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Economic Default Recovery Effort

Circuit 1st

General Magistrates				
OPS	Contracted Services	Expense	Senior Judge Days @ \$350 a day	Total
		6,500	58,100	\$64,600.00

Case Managers			
OPS	Contracted Services	Expense	Total
68,471		7,833	\$76,304.00

General Magistrate Admin Support			
OPS	Contracted Services	Expense	Total
			\$0.00

Mediation Admin Support			
OPS	Contractual Services	Expense	Total
26,090		4,000	\$30,090.00

**Economic Default Recovery Effort
First Judicial Circuit**

Fiscal Year 2006-07 to 2010-11 Estimated Number of Backlog Cases By County

County	Case Types	Statistic	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	Total
Escambia	Contract & Indebtedness and Real Property/Mortgage Foreclosure	Filings	1,983	2,790	3,370	4,188	1,177	13,508
		Dispositions	1,646	2,052	2,373	2,877	1,021	9,969
		Est. Backlog	337	738	997	1,311	156	3,539
	County Civil (\$5,001 to \$15,000)	Filings	1,051	1,425	1,443	1,641	1,383	6,943
		Dispositions	1,013	1,070	1,202	1,329	1,391	6,005
		Est. Backlog	38	355	241	312	-8	938
	Total	Filings	3,034	4,215	4,813	5,829	2,560	20,451
		Dispositions	2,659	3,122	3,575	4,206	2,412	15,974
		Est. Backlog	375	1,093	1,238	1,623	148	4,477
Okaloosa	Contract & Indebtedness and Real Property/Mortgage Foreclosure	Filings	1,082	1,945	2,945	3,363	1,028	10,363
		Dispositions	642	809	1,450	1,533	624	5,058
		Est. Backlog	440	1,136	1,495	1,830	404	5,305
	County Civil (\$5,001 to \$15,000)	Filings	662	840	804	891	997	4,194
		Dispositions	522	548	669	693	774	3,206
		Est. Backlog	140	292	135	198	223	988
	Total	Filings	1,744	2,785	3,749	4,254	2,025	14,557
		Dispositions	1,164	1,357	2,119	2,226	1,398	8,264
		Est. Backlog	580	1,428	1,630	2,028	627	6,293

County	Case Types	Statistic	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	Total
Santa Rosa	Contract & Indebtedness and Real Property/Mortgage Foreclosure	Filings	974	1,432	1,782	2,226	622	7,036
		Dispositions	735	964	1,192	1,215	513	4,619
		Est. Backlog	239	468	590	1,011	109	2,417
	County Civil (\$5,001 to \$15,000)	Filings	520	666	627	855	745	3,413
		Dispositions	437	614	479	765	554	2,849
		Est. Backlog	83	52	148	90	191	564
	Total	Filings	1,494	2,098	2,409	3,081	1,367	10,449
		Dispositions	1,172	1,578	1,671	1,980	1,067	7,468
		Est. Backlog	322	520	738	1,101	300	2,981
Walton	Contract & Indebtedness and Real Property/Mortgage Foreclosure	Filings	654	1,437	2,164	2,427	755	7,437
		Dispositions	393	526	1,044	1,338	449	3,750
		Est. Backlog	261	911	1,120	1,089	306	3,687
	County Civil (\$5,001 to \$15,000)	Filings	260	324	343	426	310	1,663
		Dispositions	235	203	278	324	322	1,362
		Est. Backlog	25	121	65	102	-12	301
	Total	Filings	914	1,761	2,507	2,853	1,065	9,100
		Dispositions	628	729	1,322	1,662	771	5,112
		Est. Backlog	286	1,032	1,185	1,191	294	3,988

County	Case Types	Statistic	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10	FY 2010-11	Total
Total	Contract & Indebtedness and Real Property/Mortgage Foreclosure	Filings	4,693	7,604	10,261	12,204	3,582	38,344
		Dispositions	3,416	4,351	6,059	6,963	2,607	23,396
		Est. Backlog	1,277	3,253	4,202	5,241	975	14,948
	County Civil (\$5,001 to \$15,000)	Filings	2,493	3,255	3,217	3,813	3,435	16,213
		Dispositions	2,207	2,435	2,628	3,111	3,041	13,422
		Est. Backlog	286	820	589	702	394	2,791
	Total	Filings	7,186	10,859	13,478	16,017	7,017	54,557
		Dispositions	5,623	6,786	8,687	10,074	5,648	36,818
		Est. Backlog	1,563	4,073	4,791	5,943	1,369	17,739

Notes:

1. Estimated number of backlog cases was determined by subtracting the number of dispositions from the number of filings for contract and indebtedness, real property/mortgage foreclosure, and county civil (\$5,001 to \$15,000) case types.
2. Fiscal year 2006-07, 2007-08, and 2008-09 data were extracted from a static file maintained by the OSCA and represent the official trial court statistics.
3. Fiscal year 2009-10 data were annualized using July 2009 through October 2009 statistics. These data were extracted from a dynamic file maintained by the OSCA and may be modified by the Clerk.
4. Fiscal year 2010-11 data based on certification projections. Circuit total dispositions were based on filing to disposition ratio in fiscal year 2006-07. Fiscal year 2010-11 by county data for contract and indebtedness and real property/mortgage foreclosure were estimated using fiscal year 2008-09 proportion of filings and dispositions.