

Debbie J. Saunders

From: David W. Fina
Sent: Monday, July 19, 2010 8:33 AM
To: Leandra G. Johnson; E. Vernon Douglas; Julian E. Collins; Paul S. Bryan; Greg S. Parker; Debra P. Sadler
Subject: FW: Conference of Circuit Judges civil justice committee meeting

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Shinholser, Olin [mailto:OShinholser@Jud10.FLCourts.org]
Sent: Sunday, July 18, 2010 4:23
To: Shinholser, Olin
Subject: Conference of Circuit Judges civil justice committee meeting

Chiefs,
Please pass on to your circuit judges.

The civil justice committee will be meeting at or about noon on July 27 (see conference agenda for final details) in Salon G-J of the Marco Island Marriot.

Among the agenda items will be civil jury instruction updates and civil mortgage foreclosures. As to foreclosures be prepared to discuss: your circuit's long and short term plans; plans for use of economic recovery dollars and what to do when the money is gone; how the civil division is being impacted and typical availability of senior judges; and should the conference be doing anything.

Please let me know if you want anything else added to the agenda.

Olin W. Shinholser, Circuit Judge
Highlands County Courthouse, Suite 333
430 South Commerce Avenue
Sebring, Florida 33870
863-402-6901(Phone)
863-402-6918 (Fax)

12/14/2010

Debbie J. Saunders

From: Sondra M. Lanier
Sent: Tuesday, August 24, 2010 11:01 AM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Subject: Notes from August Judges' Meeting

Good morning. Following are some notes from the August Judges' Meeting that was held in Madison on Friday, August 13.

- Junaid Savani and Jackie-Jo Brinson started at the beginning of the month as law clerks, and their office is in Suwannee County. Sara Hall did a great job as a law clerk intern for the summer and is now going back to college. Crystal Ecker, Sara Hall, and Debbie DeNike have been working diligently to address the backlog of post-conviction motions, and we look forward to great things from our current staff as well.

Vacancies currently being advertised include a temporary case manager and secretary to work on the foreclosure case management project. These positions were funded through a special appropriation for this specific purpose, and although we are advertising for both, we expect to hire only one person. We are advertising for both positions to give us more options when making a hiring decision. We are also advertising for a user support analyst to replace Jacob Bell, and for a family court case manager to replace Jill Hoblick. The case manager will handle Taylor and Dixie Counties, as well as Judge Collins' portion of the Columbia County caseload.

- Judge Bryan reported on the recent Trial Budget Commission meeting and provided an update on the present status of our state courts' budget. Foreclosure filing fees continue to be the primary single source of funding for the courts. Our salary budget is stable, in large part due to the controls (i.e. waiting periods for filling vacant positions) that are remaining in place for the current fiscal year.
- Judge Fina reported on the recent Chief Judges' meeting. He emphasized the importance of foreclosure case management and backlog reduction, along with the legislative implications of this project. Judge Fina also discussed some pay and benefits issues, and judges can call him for more information on that subject. The legislature is requiring a report, by judge, regarding the number of cases disposed during the current year. We will be working with the clerks to ensure that these numbers are as accurate as possible.
- Sondra has been meeting with judges and clerks to determine how to best handle foreclosure case management in each of the counties. Because we received funding for positions under this initiative and the clerks only received expense money, we are doing whatever we can to minimize the additional workload on clerks' staff. The courts are required to eliminate 62% of our backlog, and our success will be measured based on the number of cases on which no additional court action is required. The clerks will be measured on sales and issuance of certificates of title.
- Protocol for duty judge was discussed, and Judge Fina will be sending a memo to all of the agencies that may need a judge on the weekend. The memo will explain the protocol and ask that the agency heads

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share the memo with all of their staff/officers who may need to know about it. Weekly reminders will then be sent to clerks and dispatch for each of the sheriff's departments, and they can serve as the point of contact when an emergency judge is needed.

- Judges are asked to provide dates for every Thursday on which they are available for the dinner with the clerks at Judge Fina's house.
- During the meeting, a couple of legal questions arose. Debbie DeNike researched those issues, and her summary is provided below for your information. If a more formal memo is required, I can ask her to prepare that for distribution:

Electronic signatures - In *Haire v. Fla. Dept. of Agriculture and Consumer Services*, 870 So.2d 774 (Fla. 2004), the Supreme Court affirmed the 4th DCA's holding that when a judge issuing a warrant directs the use of an electronic signature, it is clear that the judge is attesting to the act of issuing the warrant and that the use of the electronic signature is "within the discretion of the issuing magistrate". In so holding, the Supreme Court stated that reasoning was consistent with the general rule that absent a statute or rule prescribing the method of a signature, a signature may be validly affixed in a variety of ways. This is also consistent with §688.004, Fla.Stat. (2003), which states: "[u]nless otherwise prohibited by law, an electronic signature may be used to sign a writing and shall have the same force and effect as a written signature" and the Rules of Judicial Administration, Rule 2.515.

Court seal - As to the use of the court seal on search warrants, §933.07, Fla.Stat. does not require affixing of a seal. Further, in *Johnson v. State of Florida*, 339 So.2d 667 (Fla. 2nd DCA 1976), the court stated the failure of the judge to affix a seal or the name of her office to the search warrant pursuant to s. 933.07, Fla.Stat. (1973), did not vitiate the warrants validity.

- Since the meeting, we have scheduled a retirement ceremony and reception for Judge Slaughter and the Court Christmas Luncheon.

Thursday, December 9 from 4:00 until 6:00 – Judge Slaughter's retirement ceremony reception at the Suwannee County Courthouse

Friday, December 17 – Christmas luncheon for judges and Court Staff – Details to be announced soon.

Please let me know if you have any questions or need more information on any of these subjects.

Sondra

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Debbie J. Saunders

From: Sondra M. Lanier
Sent: Friday, October 15, 2010 6:11 AM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Subject: FW: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee
Attachments: Foreclosure Bench Book.pdf

FYI...

From: Melissa Henderson [mailto:HendersM@flcourts.org]
Sent: Thursday, October 14, 2010 12:10 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Susan Leseman; OSCA-JUDED; Blan Teagle
Subject: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

To: Chief Judges and Trial Court Administrators

From: Judge Mark King Leban, Chair, Florida Court Education Council's Publications Committee

Re: New Publication: *Residential Foreclosure Bench Book*

The Publications Committee of the Florida Court Education Council is pleased to announce the posting of the *Residential Foreclosure Bench Book* in the Court Education Resource Library on the Florida State Courts intranet. The *Residential Foreclosure Bench Book* was written by the Eleventh Circuit's Judge Jennifer Bailey and Assistant General Counsel Doris Bermudez-Goodrich. Used for a recent judicial education course for judges assigned to hear foreclosure cases, this bench book presents readers with the nuts and bolts of current foreclosure law and procedures.

In addition to this bench book, the Court Education Resource Library, developed by OSCA's Court Education Section and Publications Unit, contains a plethora of judicial education materials, among them, court publications (bench guides, bench books, toolkits, and case summaries); court education program materials; and other useful resources (a catalog of books, manuals, and other publications, including materials by state and national organizations).

A PDF of the bench book is attached, but you can also access it from the Court Education Resource Library, at https://intranet.flcourts.org/osca/Judicial_Education/Library/librarymain.shtml (As the bench book will be periodically updated to reflect changes in foreclosure law and procedure, please visit the site for update notifications.)

Please share this information with judges and court staff who are handling residential mortgage foreclosure cases.

If you have any questions, contact Susan Leseman, OSCA Publications Attorney, at (850) 922-5085 or lesemans@flcourts.org

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Debbie J. Saunders

From: Sue Bruce [bruces@flcourts.org]
Sent: Thursday, October 28, 2010 11:51 AM
To: Trial Court Chief Judges
Cc: Trial Court Budget Commission
Subject: Foreclosure Initiative
Attachments: 10.27.10.laurent.memo.docx

Please see the attached memorandum from Judge John Laurent. Thanks!

Sue Bruce

Personal Secretary II
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, FL 32399
Phone: 850/922-5081
Fax: 850/488-0156

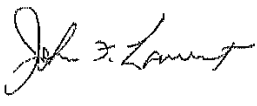
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MEMORANDUM

TO: Chief Judges of the Circuit Courts

FROM: John Laurent 

DATE: October 28, 2010

SUBJECT: Foreclosure Initiative

*The Honorable
John F. Laurent, Chair*

*The Honorable
Margaret Steinbeck,
Vice-Chair*

Members

Catherine Brunson, Circuit Judge

Paul S. Bryan, Circuit Judge

Joseph P. Farina, Circuit Judge

Charles A. Francis, Circuit Judge

Mark Mahon, Circuit Judge

J. Thomas McGrady, Circuit Judge

Wayne M. Miller, County Judge

Belvin, Perry, Jr., Circuit Judge

Robert E. Roundtree, Jr., Circuit Judge

Clayton D. Simmons, Circuit Judge

Elijah Smiley, Circuit Judge

Patricia V. Thomas, Circuit Judge

Mike Bridenback, Court Administrator

Tom Genung, Court Administrator

Sandra Lonergan, Court Administrator

Carol Lee Ortman, Court Administrator

Walt Smith, Court Administrator

Mark Weinberg, Court Administrator

Robin Wright, Court Administrator

Ex-Officio Members

*The Honorable Kevin M. Emas
Florida Conference of Circuit Court Judges*

*The Honorable Susan F. Schaeffer
Chair Emeritus*

Supreme Court Liaison

Justice James E. C. Perry

Florida State Courts System

500 South Duval Street

Tallahassee, FL 32399-1900

www.flcourts.org

In follow up to the Judicial Administration Committee conference call held on October 18, 2010, I am writing to reiterate the Trial Court Budget Commission's purpose for tracking the progress of cases the trial courts are hearing using funding provided for the foreclosure and economic recovery initiative. When the Florida Legislature appropriated special funding of \$6 million to help the trial courts with the significant backlog of foreclosure cases, the Trial Court Budget Commission established a measurement of progress that corresponded to the funding received: 62% of the backlog cases potentially could be processed because the Legislature funded 62% of the original request from the courts. A simple case tracking system was set up to monitor the progress and identify any reasons for delays. This is so that we will be able to report to the Legislature on how these funds were used. However, the Legislature has not specifically directed us to make such a report.

The 62% rate is not a quota. The 62% rate is simply a goal set by the TCBC to help measure the courts' progress in this initiative and document how the appropriation for the foreclosure initiative is being spent. The 62% rate was set before the initiative began and, most notably, before many of the lender moratoriums and other delays occurred. Please assure judges working on this project that the 62% rate was never intended to interfere with their ability to adjudicate each case fairly on its merits.

We will continue to monitor the progress of this initiative because we have an obligation to account for how these funds have been used. But we also will document all issues related to any difficulties that prevent or delay the court from hearing and disposing of cases before them.

JL/ks

cc: TCBC Members

Debbie J. Saunders

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 10:50 AM
To: Paul S. Bryan
Cc: David W. Fina
Subject: Foreclosure Case Management

Good morning Judge Bryan,

Ronna mentioned that you had discussed some foreclosure case management issues with her, and she told me that you suggested that we try to standardize things around the circuit. Judge Fina and I tried to do that from the beginning of the project, but we determined that it was not going to be possible within the timeframes that we have been given. We will soon be halfway through this project, and to be honest, we are doing good to get a game plan from each judge without trying to make it uniform. Judge Fina and I decided that we would just have to go with what each individual judge wanted so that we could begin to move forward. Since decisions about actions on cases assigned to a judge are within the discretion of the individual judge, we are adapting our processes to meet the judges' preferences.

Sondra

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Debbie J. Saunders

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 12:00 PM
To: Paul S. Bryan
Subject: RE: Foreclosure Case Management

Great. It sounds like there is a plan in the works, and I'm all about a plan!

From: Paul S. Bryan
Sent: Tuesday, November 09, 2010 11:43 AM
To: Sondra M. Lanier
Subject: RE: Foreclosure Case Management

Spoke w/ Ronna at length on my cases this am. Asked her to get me copies of the orders setting case mgmt. which other judges are utilizing. Even if not exactly 'uniform' – I'd like to not reinvent what exists – and to be aware of the excellent orders already created by my brothers and sister in black! Paul Bryan

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

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 10:50 AM
To: Paul S. Bryan
Cc: David W. Fina
Subject: Foreclosure Case Management

Good morning Judge Bryan,

Ronna mentioned that you had discussed some foreclosure case management issues with her, and she told me that you suggested that we try to standardize things around the circuit. Judge Fina and I tried to do that from the beginning of the project, but we determined that it was not going to be possible within the timeframes that we have been given. We will soon be halfway through this project, and to be honest, we are doing good to get a game plan from each judge without trying to make it uniform. Judge Fina and I decided that we would just have to go with what each individual judge wanted so that we could begin to move forward. Since decisions about actions on cases assigned to a judge are within the discretion of the individual judge, we are adapting our processes to meet the judges' preferences.

Sondra

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Debbie J. Saunders

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 2:05 PM
To: Paul S. Bryan
Cc: Debbie J. Saunders; Ronna M. Cobble
Subject: Foreclosure case follow-up

It's me again...

Ronna was filling me in on your meeting with her, and she said that you and Debbie were very helpful and she learned a lot. She told me about the question regarding follow-up on things that are ordered in court. I can only speak to how Judge Fina handled it, because he is the only judge who has had a case management docket so far. He continued cases for 30 days, so they are automatically coming back in front of him for review of the progress. With one staff person, it would be difficult to follow up on every case for every judge, but the greater question becomes "now what". If someone didn't do what they were supposed to do, would it need an order to show cause or what would happen? Whatever we can do to keep the cases moving while minimizing the number of times we touch/review a case would be great.

Sondra

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Debbie J. Saunders

From: Ronna M. Cobble
Sent: Wednesday, November 10, 2010 10:38 AM
To: Paul S. Bryan
Subject: Case Management Question

Case 10-364 does not show any service of a summons. However, the defendant did file an answer via counsel. Does this require a no service/120 days notice or do you want it to go to case management?

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

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Debbie J. Saunders

From: Ronna M. Cobble
Sent: Wednesday, November 10, 2010 2:08 PM
To: Paul S. Bryan
Attachments: cmn2-parker-bryan.doc

I have made changes to our standard case management notice to reflect the differences found within the second notice. I'm not sure that the paragraph right before "DONE AND ORDERED" sounds quite right. I thought there may have been a desire to say ,if those things are done....within 10 days of the hearing...." Let me know what you think.

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

12/14/2010

3rd Cir 1511

IN THE CIRCUIT COURT OF THE THIRD JUDICIAL CIRCUIT
IN AND FOR COLUMBIA COUNTY, FLORIDA

CASE NO. CA

Plaintiff

vs.

, ET AL,

Defendant(s)

ORDER SCHEDULING CASE MANAGEMENT CONFERENCE

PLEASE BE ADVISED that, pursuant to Rule 1.200(a), Fla.R.Civ.P., the case listed above will be called up for Case Management Conference:

DATE/TIME: Thursday, December 2, 2010 at 11:00 a.m.

LOCATION: Columbia County Courthouse
173 NE Hernando Avenue, Room 239
Lake City, FL 32055

JUDGE: Paul S. Bryan

Rule 2.250 of the Florida Rules of Judicial Administration provides time standards which are presumptively reasonable for the completion of cases. The court records reflect either that this cause has exceeded these standards or that there are other reasons for case management.

The parties, if not represented by counsel, and counsel of record shall appear as stated above to address the following issues that may aid in the prompt and fair disposition of this action:

1. Schedule or reschedule trial or additional case management conference(s);
2. Schedule or reschedule the service of motions, pleadings and other papers;
3. Coordinate the progress of the action if complex litigation factors are present;
4. Limit, schedule, order or expedite discovery;
5. Schedule disclosure of expert witnesses and discovery of facts known and opinions held by such experts;
6. Require filing of preliminary stipulations if issues can be narrowed;
7. Possibilities of settlement;

8. Referral to mediation;
9. Dismissal;
10. Other _____.

ON FAILURE OF THE PARTIES OR COUNSEL TO ATTEND THE CONFERENCE, THE COURT MAY DISMISS THE ACTION, STRIKE PLEADINGS, LIMIT PROOF OR WITNESSES OR TAKE ANY OTHER APPROPRIATE ACTION AS PROVIDED IN RULE 1.200(C).

THIS CASE MANAGEMENT CONFERENCE MAY BE CANCELLED ONLY WITH THE COURT'S WRITTEN PERMISSION.

STIPULATIONS TO CONTINUE WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.

HEARING MAY BE CANCELLED IF COURT RECEIVES COPY OF VOLUNTARY DISMISSAL, SUGGESTION OF BANKRUPTCY OR IF TRIAL OR SUMMARY JUDGMENT HEARING IS SCHEDULED PRIOR TO ABOVE DATE.

DONE AND ORDERED in Lake City, Columbia County, Florida this _____ day of _____, 2010.

CIRCUIT JUDGE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. First Class Mail to the attorneys of record and pro se parties above this _____ day of _____, 2010.

By _____

AMERICAN WITH DISABILITIES ACT NOTICE

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 Carrina Cooper, Court Administration at 173 NE Hernando Avenue, Room 408, Lake City, Florida 32055, 386-758-2163 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 and/or voice impaired, call the Florida Relay Service at 711.

4 1 0

CC:

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Wednesday, November 10, 2010 2:25 PM
To: Paul S. Bryan
Subject: RE:

Got it! I suppose, then, you can disregard my second email with attachment "cmn-parker-bryan". I was busy with other things and did not notice your reply before I sent the second email. I will make the change requested and start on your notices right away.
Thanks for getting back to me....

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

From: Paul S. Bryan
Sent: Wednesday, November 10, 2010 11:47 AM
To: Ronna M. Cobble
Subject: RE:

J. Collins form o.k. w/ me. Addition of a line near end of form may be good idea: NOTICE OF DISMISSAL / RESOLUTION FILED AT LEAST 5 DAYS BEFORE MANAGEMENT CONFERENCE WILL CANCEL CONFERENCE WITH PRIOR COURT APPROVAL. WHAT do you think of that addition? Paul Bryan

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

From: Ronna M. Cobble
Sent: Wednesday, November 10, 2010 11:34 AM
To: Paul S. Bryan
Subject:

Note: the cmc.pdf file is not my work product. It was passed down to me. There are obvious typos and grammatical problems. I need to know from you, though, which style form/language you prefer to use. I did not want to make changes to the "cmn" file until I knew if there were other changes you might request. Please email me or call me and let me know which to use.

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

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3rd Cir 1516

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Thursday, November 11, 2010 3:06 PM
To: Paul S. Bryan
Subject: Foreclosure Caes Management Notices are Ready!

I completed the case management notices for your Dec. 2 hearing date. Would it be possible for you to sign them tomorrow, Friday, after the Judges' Meeting? That would save me a trip to Lake City and get them in the mail sooner. If not, let's make arrangements for how I might get them to you. I will be in the office tomorrow until 4, going to lunch from 12-1. Let me know....

Thanks.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

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3rd Cir 1517

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Friday, November 12, 2010 9:00 AM
To: Debbie J. Saunders; Paul S. Bryan
Subject: Foreclosure Case Management
Attachments: bryan 12-2-10 docket 11am.doc; bryan 12-2-10 docket 1130am.doc; judbryansch.PDF

Attached please find a schedule of cases to be heard on our first date of Dec. 2. Also, attached is the docket used in Suwannee County by the foreclosure case manager and Clerk of Court representative as well as the Judge. Let me know if these are both satisfactory or if changes should be made. I, personally, have not yet attended a hearing so I may be missing a step or two. I encourage you to share any info that might help me. If these two documents meet your approval, let me know which persons in Columbia you would like to have a copy.

Debbie, I remember you saying you would submit the request for files to be pulled. Thank you!

I will be at the Courthouse before the meeting to help get the orders signed.

Have a great Friday!

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

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Debbie J. Saunders

From: Brenda Johnson [johnsonb@flcourts.org]
Sent: Tuesday, November 16, 2010 11:03 AM
To: SC-JUSTICES; DCA Budget Commission; Trial Court Chief Judges; Trial Court Administrators; Trial Court Budget Commission; Judge Kevin M. Emas; Judge Wayne Miller
Cc: Lisa Goodner; Blan Teagle; Laura Rush
Subject: Speaker Cannon's remarks today

Please note the comments in read below:

Speaker Dean Cannon's Organizational Session remarks as prepared for delivery:

I want to begin my remarks by thanking God, who has been so gracious and merciful to me and given me life and eternal life, and to especially thank him for allowing all of us to be here today.

I want to next recognize and thank my family. The first and highest thanks go to my beautiful wife, Ellen. I wouldn't be here today or be who I am without you, and you have sacrificed more and worked harder to bring me here than I have. I love you very much.

To Dean, my wonderful son, Katherine, my first daughter, and Sarah, my baby girl, you three have brought more joy to your mother and me than you will ever know, I love you, and thank you for allowing Daddy to serve in the house and to become Speaker.

I want to say a special word of thanks to my mother and father who are here today, Ginger and Roy Cannon, to my grandmother, Althea Cannon, and a long distance hello to my grandparents in North Carolina, Grace and Walter Harrell, who could not be here in person.

A tremendous thanks go to my brother, Dr. Sterling Cannon and his wife Heather for being here today.

And to my many, many other family members, friends and colleagues, as I look around this room there are so many of you. Thank you for helping me throughout my life and for helping me to arrive here today.

Members, I cannot adequately express my gratitude for the incredible honor and privilege you have entrusted to me to be your speaker. I promise you I will hold myself accountable, and ask that we all hold each other accountable, to the high standards of this institution and the people we represent.

I have sought the counsel of many of the former speakers for advice over the years, and especially Speaker Cretul. And, I intend to do so again gentlemen. And, they cautioned me that each speaker must confront the issues at hand, not the issues they wished were at hand when they were first elected. I'll tell you that's true.

Together we all share a responsibility to address the tough issues facing our state

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now. I know we will not always agree on the difficult choices ahead, but regardless of the circumstances, we are privileged to hold in this chamber the trust of the people of Florida and with that trust comes a responsibility to do our very best for them.

We find ourselves today with a large majority caucus. This means the majority has the responsibility lead, the minority has the opportunity to participate and the public has the right to watch. As your speaker, my goal is to ensure that all of that happens fairly and orderly.

The most meaningful bipartisanship is unforced, voluntary bipartisanship, and I hope that we in the majority party will work with those in the minority party to collaborate for the good of the people we serve. And so, I extend a pledge of fairness to members of both parties, but please remember that obstructionism is not the same as dissent and personal attacks are not the same as meaningful debate.

We come together today as the 85th Florida house since statehood in 1845. Each of you holds 1/120th of the sovereignty of the Florida house. Each bears the same burden and each holds the same opportunity that comes with the constitutional responsibilities we have sworn to uphold.

Since statehood, only 3,477 people have had the privilege to sit in the seats you currently occupy, less than 3,500 people out of tens of millions who have called our state home.

Members, as my gift to you, in each of your desks you will find a lapel pin with a seal of the Florida House of Representatives which symbolizes, in a small way, your place in the history of the Florida house and our great state. It signifies your responsibility to your constituents, to our state, and to this great institution.

When you wear this pin remember that you are part of something bigger than yourself. It's something much bigger than the promises you made on the campaign trail and it's different from making a living in your private life, never forget that. When you wear this pin remember that you are a public servant, you are a part of the government of this state and you are a part of the history of Florida.

It is unfortunate, but true, that a terrible temptation when you are part of government is to succumb to the notion that we in Tallahassee can make all things better through government. It's so easy to see people facing challenges and think, "if we just had more government revenue, we could create a program to fix that," or "if the government would just impose more regulations these bad things would never happen to good people."

My friends, those sentiments may be well intended, but they are dangerous. Government cannot give everything to everybody and it cannot prevent every calamity. The notion that government can somehow make everyone happy and healthy has led our federal government into the terrible experiment in government run amok that the voters of our state and our nation overwhelmingly rejected two weeks ago.

So, during the next two years I am going to challenge you to ask a much harder question. Instead of asking what government can do to fix a problem or prevent a potential wrong, when confronting the challenges facing our state, I challenge you to ask whether or not government should be involved at all. Or, better yet, what can government stop doing that will allow greater freedom to our citizens?

If someone had told those of us who were first elected in 2004 that by 2010 the federal

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government would be not only advocating but implementing the greatest expansion of government power since the New Deal, I would not have believed it.

And yet, that is exactly what we have seen.

Government taking over banks and financial institutions, government taking over auto manufacturers and the production of durable goods, government socializing medicine and government trampling the property rights of citizens and the sovereignty of states.

Should it really be the role of government to require people to purchase a health insurance product they don't want, raise taxes to give that same product to others who can't afford it, and commandeer our state government and its resources to carry it out?

Or, should we work to limit government and empower the private sector by developing a clearly-defined framework for providers in Florida to compete to meet the needs of our citizens and then hold them accountable for their performance?

Can it really be the proper role of the federal government to arbitrarily come in to a single state and unilaterally tell us that Florida must adhere to arbitrary, unscientific and unachievable EPA standards?

Or, should we raise our voices in protest and defend our citizens' property rights and our state's sovereignty against this assault by the federal government?

The threats to our liberties come not only from the federal government, but can also be seen much closer to home.

As an attorney and an officer of the court, I believe fervently in a judicial branch that is strong and independent and fully empowered and equipped to fulfill its constitutional duties.

But for the judiciary to be independent, it must also be impartial and apolitical. It must respect the co-equal executive and legislative branches, and protect their unambiguous constitutional powers, and it must practice the restraint that is built into our federal and state constitutions.

Yet, over the past year three times we saw the work of a three-fifths super majority of this legislative branch, the elected representatives of over 18 million Floridians, demolished by five unelected Justices on the Supreme Court. This was done notwithstanding the fact that there is no express authority in the Florida constitution for doing so.

So I ask you, is it the role of judicial branch to decide political questions, and endanger its reputation for impartiality, by depriving the voters of the right to vote on important questions put forth by their elected representatives?

Or should we make good on the oath we took to protect and defend Florida's constitution, which expressly grants the legislature the unlimited right to place questions before the voters so that they, the people, may exercise their highest political right by voting to choose whether or not to amend their constitution?

These are just a few examples of threats to freedom and the cost that the loss of liberty has occasioned, but there are many others.

It's worth asking of all of those examples I just cited, how and why did government

12/14/2010

expand so much and try to control so much economic activity or exercise those powers? While there is no one single answer, I believe much of it stems from an arguably well-intentioned but fatally flawed assumption that government can and should protect people from themselves, and that government can and should help people more than they can help themselves.

Ladies and gentlemen, when government takes over private sector assets and controls private sector activity, or denies people the right to vote because the government decides they might be confused, even if it does so--perhaps especially if it does so--in the name of protecting them, that my friends is a destruction of freedom and is the road to serfdom and economic bondage not only for us but for our children and their children after them. It is the road to ruin of a healthy economy and the foreclosure of a bright future for our state and our nation.

Real freedom seeks equality in opportunity, not equality in outcome.

To question the size and scope of government at every level could truly produce a new birth of freedom. Economic freedom, based on the principle that people -- not the government -- can and should best determine how the fruits of their labor will be used; and making people, not the government, responsible for determining their own destinies, for better or for worse.

We shouldn't seek freedom merely for its own sake, although that is reason enough. We should seek freedom because it is the path to human industry, to returning strength to Florida's economy, to people achieving their highest potential.

Floridians want jobs. Jobs create opportunity and self respect. Jobs provide people a stake in their future.

In order to get our economy moving again, we need to liberate capital, we need to inspire entrepreneurs, we need to give people the opportunity to create jobs.

Our mission over the next two years is to foster an economy that will allow the men and women of Florida to prosper. Our mission over the next two years is to bring sanity to the government's role in the private sector. Our mission is to ask ourselves whether every action we take will promote freedom and empower businesses to create jobs.

You cannot regulate your way to prosperity. You cannot tax your way to wealth, and you cannot borrow your way out of debt. We cannot pass a bill to end this recession. But, we can create the freedom for the private sector to build a healthy and dynamic economy.

Members, this is not a theoretical classroom discussion. Floridians need a new birth of freedom now. This new birth of freedom will help encourage entrepreneurship, it will help create jobs, and it will help get Floridians back to work. And it is economic freedom that will unshackle our economy and once again paint a brighter picture for the Florida of tomorrow.

The road will not be easy, but our families and our children, and our children's children, will thank us.

May God bless each of you, may God bless this House, and may God bless the great state of Florida.

#

12/14/2010

Brenda G. Johnson

Director of Community and Intergovernmental Relations
Office of the State Courts Administrator
500 South Duval Street
Tallahassee, FL 32399-1900
(850)922-5692

12/14/2010

3rd Cir 1523

Debbie J. Saunders

From: Heather Thuotte-Pierson [piersonh@flcourts.org]
Sent: Friday, November 19, 2010 3:21 PM
To: Trial Court Chief Judges; Trial Court Budget Commission; Trial Court Administrators
Cc: Lisa Goodner; Kristine Slayden; Charlotte Jerrett
Subject: November 15, 2010 Article V Revenue Estimating Conference
Attachments: TrustFundEstimatesNovember2010REC.pdf

The official estimates from the November 15, 2010 Article V Revenue Estimating Conference for the State Courts Revenue Trust Fund (SCRTF), the Mediation and Arbitration Trust Fund (MATF), and the Court Education Trust Fund (CETF) are attached. Proposed forecasts were provided to the conference principals by the Legislative Office of Economic and Demographic Research, the Executive Office of the Governor, the Office of the State Courts Administrator and the Clerks of Court Operations Corporation. Official estimates were based on four months of actual revenue data for FY 2010/11 and/or transaction data. More detailed information on the estimates can be found on the Office of Economic and Demographic Research website: <http://edr.state.fl.us/Content/conferences/articleV/index.cfm>

Foreclosure revenues are projected to decrease in FY 2010-11 in recognition of the continued lower level of foreclosure filings in the first quarter and in anticipation of a temporary dip in filings resulting from the "Robo-Signing Scandal". However, the higher number of filings is expected to resume in the second half of FY 2010-11 and then climb in the out years due to the high number of mortgages in various stages of default.

More details will be provided at the December 7, 2010 TCBC meeting.

Please let me know if you have any questions.

Thanks,
Heather

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

12/14/2010

Article V Revenue Estimating Conference Comparisons
 July 2010 and ****New**** November 2010
 FY 2010/11 and FY 2011/12 Revenue Estimates (in millions)

Article V Revenue Conferences	SCRTF		MATF		CETF	
	FY 2010/11	FY 2011/12	FY 2010/11	FY 2011/12	FY 2010/11	FY 2011/12
July 2010 Estimate	\$335.9	\$350.5	\$17.1	\$16.4	\$3.7	\$3.5
November 2010 Estimate	\$312.4	\$352.7	\$16.7	\$16.3	\$3.6	\$3.3
Difference	(\$23.5)	\$2.2	(\$0.4)	(\$0.1)	(\$0.1)	(\$0.2)

State Courts Revenue Trust Fund
Revenue Projections by Source (in millions)
FY 2010/11 and FY 2011/12

Source	FY 2010/11 Projected Revenue ¹ (Annual Projection)	FY 2011/12 Projected Revenue ¹ (Annual Projection)
\$5 Civil Traffic Assessment	\$12.2	\$12.2
\$25 Speeding Fine Increase	\$6.8	\$6.8
18% Driving School Reduction	\$6.5	\$6.5
Real Property/Foreclosure \$80 Redirect, \$100 Fee Increase and Graduated Filing Fee Increase	\$238.6	\$280.2
\$115 Increase in Probate	\$6.8	\$6.7
\$180 Redirect/Increase in Circuit Civil (Excluding Foreclosures)	\$34.2	\$32.7
\$80 Redirect in Family	\$6.5	\$6.7
Counterclaim Graduated Fee Increase	\$0.5	\$0.6
Appellate \$50 Filing Fee	\$0.3	\$0.3
Total	\$312.4	\$352.7

¹ FY 2010/11 and FY 2011/12 Projected Revenue from the November 2010 Article V Revenue Estimating Conference.

State Courts Revenue Trust Fund
FY 2010/11 Monthly Revenue Comparisons (Projected vs. Actual)

Source	REC Official Estimate		Actual Monthly Revenues					FY 2010/11 Year to Date Collections
	FY 2010/11 Projected Revenue ¹ (Annual Projection)	FY 2010/11 Projected Revenue (One Month Projection)	Actual Revenues (June 2010 Collections/ July 2010 Remittance) ²	Actual Revenues (July 2010 Collections/ August 2010 Remittance) ²	Actual Revenues (August 2010 Collections/ September 2010 Remittance) ²	Actual Revenues (September 2010 Collections/ October 2010 Remittance) ²		
\$5 Civil Traffic Assessment	\$12,200,000	\$1,016,667	\$1,119,699	\$1,041,918	\$1,028,918	\$1,007,156	\$4,197,690	
Adjudication Withheld	NA	NA	\$457,222	NA	NA	NA	\$457,222	
\$25 Speeding Fine Increase	\$6,800,000	\$566,667	\$634,932	\$613,631	\$629,378	\$610,914	\$2,488,855	
18% Driving School Reduction	\$6,500,000	\$541,667	\$532,248	\$530,034	\$526,554	\$524,857	\$2,113,692	
Real Property/Foreclosure \$80 Redirect, \$100 Fee Increase and Graduated Filing Fee Increase	\$238,600,000	\$19,883,333	\$19,218,492	\$17,032,376	\$19,312,638	\$19,955,323	\$75,518,830	
\$115 Increase in Probate	\$6,800,000	\$566,667	\$568,079	\$557,944	\$549,272	\$515,942	\$2,191,237	
\$180 Redirect/Increase in Circuit Civil (Excluding Foreclosures)	\$34,200,000	\$2,850,000	\$3,013,667	\$3,139,771	\$2,930,952	\$2,891,560	\$11,975,951	
\$80 Redirect in Family	\$6,500,000	\$541,667	\$574,082	\$546,348	\$531,763	\$525,068	\$2,177,261	
Counterclaim Graduated Fee Increase	\$500,000	\$41,667	\$56,800	\$46,708	\$57,765	\$47,046	\$208,319	
Appellate \$50 Filing Fee	\$300,000	\$25,000	\$22,550	\$23,800	\$29,800	\$27,400	\$103,550	
Other (Refunds)	NA	NA	\$12,113	\$6,803	\$15,997	\$5,440	\$40,353	
Total	\$312,400,000	\$26,033,333	\$26,209,886	\$23,539,333	\$25,613,036	\$26,110,707	\$101,472,962	

Note: Monthly Projected Revenue represent 1/12 of the annual amount. Actual revenue will vary from month to month, and revenues will likely be lower in later months due to foreclosure cases slowing down as the economy improves. Any collection of revenue above the legislatively appropriated budget for the State Courts System is just excess cash that cannot be spent because the courts do not have the authority to spend it.

¹ FY 2010-11 Projected Revenue from the November 15, 2010 Article V Revenue Estimating Conference.

² As reported by in the Department of Revenue Consolidation Report; Appellate \$50 Filing Fee as reported by OSCA, Finance and Accounting

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Tuesday, November 23, 2010 10:49 AM
To: Paul S. Bryan
Subject: stern

I spoke with attorney Matthew Kaminski at Stern's office today. He is gathering all the info. More than happy to serve us. Is aware of the Screw-up with Judge Johnson's cases and Collins' yesterday. He has my fax and phone numbers. I have his email and emailed him a reminder of our conversation. I am hopeful....

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

12/14/2010

3rd Cir 1528

Debbie J. Saunders

From: David W. Fina
Sent: Tuesday, November 23, 2010 1:53 PM
To: Barry Baker <barryb@suwclerk.org> (barryb@suwclerk.org); 'Ricky Lyons'; 'Greg Godwin'; 'P. DeWitt Cason'; 'Dana Johnson'; 'Annie Mae Murphy'; 'Tim Sanders'; Tony Cameron (sheriff@suwanneesherriff.com) (sheriff@suwanneesherriff.com); Debra P. Sadler; Darren K. Jackson; David W. Fina; Debra P. Sadler; E. Vernon Douglas; Frederick L. Koberlein; Greg S. Parker; H. Wetzel Blair; James R. Bean; Jean Pittman; Julian E. Collins; Leandra G. Johnson; Paul S. Bryan; Sonny Scaff; Tom Coleman; William R. Slaughter
Subject: FW: Mortgage Foreclosure Proceedings
Attachments: Memo to Chief Judges re Mortgage Foreclosure Proceedings.pdf; Letter to Florida Press Assn et al.pdf

Please see attached the directive I have received from our chief justice. Pursuant to said directive, remember that mortgage foreclosure proceedings are open to the public. Please continue to ensure the public has open access to these hearings.

Thanks for your continued cooperation.

David W. Fina
Circuit Court Judge
Third Judicial Circuit

From: Debbie Howells [mailto:howellsd@flcourts.org]
Sent: Wednesday, November 17, 2010 8:03 AM
To: Trial Court Chief Judges
Cc: Trial Court Administrators; Lisa Goodner; Blan Teagle; Laura Rush; Kristine Slayden; Brenda Johnson; Judge John Laurent
Subject: Mortgage Foreclosure Proceedings

Please see the attached memorandum from Chief Justice Canady regarding mortgage foreclosure proceedings.

Also attached is a copy of Chief Justice Canady's letter to The Florida Press Association.

Debbie Howells
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, FL 32399-1900
Phone 850-922-4370
Fax 850-488-0156
Email howellsd@flcourts.org

12/14/2010

3rd Cir 1529



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
RICKY L. POLSTON
JORGE LABARGA
JAMES H.C. PERRY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

KEVIN WHITE
ACTING MARSHAL

MEMORANDUM

TO: Chief Judges of the Circuit Courts

FROM: Chief Justice Charles T. Canady *CTC*

DATE: November 17, 2010

SUBJECT: Mortgage Foreclosure Proceedings

Enclosed for your review and action is a letter dated November 12, 2010, that I received from the Florida Press Association and other organizations. The letter alleges that in some instances, members of the public and/or press either have been advised that they cannot attend mortgage foreclosure proceedings or have been prevented from attending such proceedings.

As the chief administrative officer of the Florida judicial branch, I am directing all chief judges to examine the current practices within their respective circuits to ensure that those practices are entirely consistent with the constitutional, statutory, procedural rule, and case law requirements of this state regarding the presumption that state court proceedings are open to the public.

I also ask that you communicate with all judges and court staff in your circuit to remind them of the relevant provisions relating to open court proceedings. It is important for you to communicate with the clerks of court and bailiffs within your circuit as well to ensure that those offices provide any visitors

Chief Judges of the Circuit Courts
November 17, 2010
Page Two

or callers with the correct information about attendance at mortgage foreclosure or other court proceedings.

I would also like to take this opportunity to clarify the Supreme Court's understanding of the goals of the Foreclosure and Economic Recovery Funding Initiative, which was partially funded by the Legislature during the 2010 Legislative Session. I have reviewed Judge John Laurent's memorandum of October 28, 2010, a copy of which is attached and incorporated herein by reference. I agree with his description of the 62-percent goal established by the Trial Court Budget Commission as a means to help measure the court system's progress in the initiative and to document how the appropriation for the foreclosure initiative is being spent. There is no reason why the 62-percent goal should interfere with a judge's ability to adjudicate each case fairly on its merits. Each case must be adjudicated in accordance with the law.

Thank you for your ongoing efforts to appropriately administer and resolve the avalanche of mortgage foreclosure cases that have been overwhelming the court system during the past few years. I recognize that the challenge you face in assuring that these cases are resolved properly is unprecedented. I am confident that with the cooperation of all judges and court staff—along with the tools of the revised rules of court procedure, implementation of the managed mediation program, and the influx of court resources through the Foreclosure and Economic Recovery Funding Initiative—the Florida courts will be able to meet this challenge in a manner that protects and preserves the rights of all parties as well as interested observers.

CTC/LG/dgh

Enclosures

cc: Trial Court Administrators



Florida Press Association
336 E. College Avenue, Suite 203
Tallahassee, FL 32301
(860) 521-1199
Fax (860) 677-3629

Chief Justice Charles T. Canady
Florida Supreme Court
500 South Duval Street
Tallahassee, FL 32399-1925

November 12, 2010

Dear Chief Justice Canady,

We write to express our concern that the right to open access to judicial proceedings is being unduly impeded in foreclosure proceedings around the state. Our organizations have received numerous reports that extraordinary barriers to access are preventing members of the general public, as well as representatives of the news media, from observing foreclosure proceedings in judicial circuits around the state. We believe these barriers undercut the transparency of the judicial process; they also violate the strong presumption of open access to judicial proceedings under Florida law. We urge you to take action to secure the public's right to observe the workings of the judicial system.

As you know, Florida law recognizes a strong presumption in favor of open access to judicial proceedings. We have no objection, of course, to ordinary security screening measures. We are concerned, however, that the barriers to access here go far beyond such measures, leaving members of the public and press subject to the discretion of individual foreclosure judges to admit or exclude them.

The reports we have received come from all around the state, and although the precise nature of the barriers to access varies, a troubling pattern emerges: foreclosure divisions recently established by the judicial circuits have been operating under a presumption of closure to members of the general public, rather than the presumption of openness mandated by Florida law. An illustrative, but not exhaustive, list of encounters that have been reported to our organizations since August 2010 follows:

- A court observer in Hillsborough County called the court to ask about the rules governing attendance at foreclosure proceedings and was told that the proceedings were not open to the public.
- A pro se defendant in Duval County was told by a member of court security that she could not access foreclosure proceedings because only attorneys were permitted.
- A court observer called the Orange County courthouse to ask about attending foreclosure proceedings. She was informed that foreclosure hearings were held "in private chambers" and therefore not open to the public.

- In Citrus County, an individual preparing to mount a pro se defense in his own foreclosure case attempted to attend foreclosure hearings in advance of his own so that he could know what to expect when his case was heard. He was told that foreclosure hearings are “private” and take place in judges’ chambers, and that he would not be permitted to observe them.
- Most recently, a legal aid attorney in Jacksonville attended a foreclosure proceeding accompanied by a reporter from Rolling Stone Magazine. Neither the attorney nor the reporter did anything disruptive to the proceedings. At one point the reporter left the proceedings in order to interview a pro se litigant whose case had just been heard. Later that day, the judge sent an email to the attorney castigating her for bringing the reporter into the proceedings. He stated that, while “attorneys are welcome in Chambers at their leisure,” members of the media are “permitted” entry only upon “proper request to the security officer.” He further informed the attorney that she “did not have authority to take anyone back to chambers without proper screening” and stated that her “apparent authorization that the reporter could pursue a property owner immediately out of Chambers into the hallway for an interview” may be “sited [sic] for possible contempt charges in the future.”¹

In raising our concerns about this pattern of exclusion, we rely on the extensive body of case law that has made Florida a model for open government. Systematically excluding members of the press and public from judicial foreclosure proceedings violates the robust guarantee of open access to courts provided by Florida law. This Court has held that “both civil and criminal court proceedings in Florida are public events and adhere to the well established common law right of access to court proceedings and records.” *Barron v. Fla. Freedom Newspapers, Inc.*, 531 So. 2d 113, 116 (Fla. 1988); see also Fla. R. Jud. Admin. 2.420 (codifying public right of access to records of the judiciary). *Barron* articulated this right of access in forceful terms. It emphasized that “a strong presumption of openness exists for all court proceedings” and outlined the carefully circumscribed exceptions to this broad rule:

[C]losure of court proceedings or records should occur only when necessary (a) to comply with established public policy set forth in the constitution, statutes, rules, or case law; (b) to protect trade secrets; (c) to protect a compelling governmental interest [e.g., national security; confidential informants]; (d) to obtain evidence to properly determine legal issues in a case; (e) to avoid substantial injury to innocent third parties [e.g., to protect young witnesses from offensive testimony; to protect children in a divorce]; or (f) to avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of civil proceeding sought to be closed.

¹ Since the incident in Duval County was particularly egregious, we have also asked that Chief Judge Moran consider appropriate action.

Id., at 118. Even in these exceptional circumstances, “before entering a closure order, the trial court shall determine that no reasonable alternative is available to accomplish the desired result, and, if none exists, the trial court must use the least restrictive closure necessary to accomplish its purpose.” *Id.*

The protection of public access to judicial proceedings serves fundamental constitutional values. In particular, the “value of openness lies in the fact that people not actually attending trials can have confidence that standards of fairness are being observed; the sure knowledge that *anyone* is free to attend gives assurance that established procedures are being followed and that deviations will become known.” *Sarasota Herald-Tribune v. State*, 924 So. 2d 8, 12 (Fla. 2d DCA 2005) (quoting *Press-Enter. Co. v. Super. Ct.*, 464 U.S. 501, 508 (1984)). “A trial courtroom is a public place where people have a general right to be present, and what transpires in the courtroom is public property.” *Plaintiff B v. Francis*, No. 5:08-cv-79, 2010 WL 503067, *2 (N.D. Fla. Feb. 5, 2010). Foreclosure proceedings are currently a matter of intense public interest. Indeed, the media has, in recent months, scrutinized them for possible procedural deficiencies. *See, e.g.*, Gretchen Morgenson and Geraldine Fabrikant, *Florida’s High-Speed Answer to a Foreclosure Mess*, N.Y. TIMES, Sept. 14, 2010; Polyana da Costa, *Before Foreclosing, Judges Must Hear Out Homeowners*, MIAMI DAILY BUS. REV., Oct. 14, 2010.

As the examples outlined above show, Florida’s presumption of openness is being inverted in the context of foreclosure proceedings: courts across the state are effectively imposing a presumption of closure, which may be overcome only by special permission to observe proceedings. In effect, only those who actively assert their right of access in the face of initial barriers, and then ultimately receive permission, may exercise their right to observe foreclosure hearings.

Under Florida law, there are few justifications that can counterbalance the right to access. Even when those exceptional circumstances exist, the court must still determine that no more narrowly tailored alternative is available. *Barron*, 531 So. 2d at 118; *see also Globe Newspaper Co. v. Super. Ct. for the County of Norfolk*, 457 U.S. 596 (1982) (invalidating statute closing trials for certain sex offenses involving minors where state had a “compelling” interest in protecting minors’ privacy but where the court “offered no empirical support” that closure would effectively further that interest). There is no indication that closure of foreclosure courts occurs only when such rigorous analysis has taken place. Indeed, the opposite appears to be true: by choosing to conduct foreclosure hearings in “private” conference rooms or judicial chambers and treat those as closed proceedings, the burden shifts to members of the press or public to convince the court to allow access.

We recognize that the heavy volume of foreclosure cases has led to difficulties finding judges and courtrooms to hear the cases. As a result, some cases are being held in chambers for lack of an available traditional courtroom. Nevertheless, the proceedings must be open, even if they are held temporarily in a smaller and less formal physical

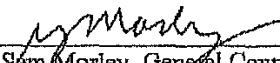
setting than usual. While we understand the necessity for ordinary and uniform security screening procedures, the unavailability of a traditional courtroom cannot justify a deprivation of the rights established under Florida law and the U.S. Constitution.

This Court has noted that the press plays an indispensable role in maintaining "the judicial system's credibility in a free society." *Barron*, 531 So. 2d at 116. That credibility cannot be maintained when members of the public and media are dependent on the indulgence of the presiding judge to allow them to observe important judicial proceedings.

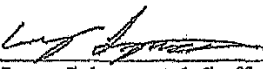
It is our sincere hope that we, and other representatives of the media, will be able to avoid instituting litigation over the issue of access to foreclosure proceedings. We do face certain time constraints, however, because Florida Rule of Appellate Procedure 9.100(d) provides for expedited review of orders excluding the public and media from judicial proceedings, and it requires such petitions to be filed within 30 days of an exclusion order.²


Accordingly, we respectfully urge you to take corrective action to ensure citizen and press access as guaranteed by Florida's right-of-access jurisprudence. In particular, we ask that you promulgate an Administrative Order or take other expeditious and appropriate action to ensure that both the public and media may observe proceedings consistent with Florida law and subject only to ordinary security measures

We thank you for your attention to this important matter.

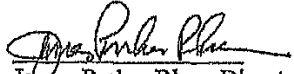

Sam Morley, General Counsel
The Florida Press Association


Talbot D'Alemberte, Bar No. 0017529
The Florida Press Association


Larry Schwartz, Staff Attorney
The American Civil Liberties Union


Randall Marshall, Legal Director
The American Civil Liberties Union of Florida

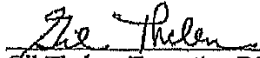
² The incident in Duval County occurred on October 26th. Accordingly, the last day to file a petition for review pursuant to Rule 9.100(d) is November 29th.




James Parker Rhea, Director & General Counsel
The First Amendment Foundation



C. Patrick Roberts, President & CEO
Florida Association of Broadcasters



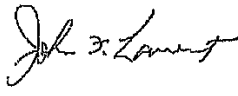
Gil Thelen, Executive Director
The Florida Society of Newspaper Editors



James Denton, Editor
The Florida Times-Union



MEMORANDUM

TO: Chief Judges of the Circuit Courts
FROM: John Laurent 
DATE: October 28, 2010
SUBJECT: Foreclosure Initiative

*The Honorable
John F. Laurent, Chair*

*The Honorable
Margaret Steinbeck,
Vice-Chair*

Members

*Catherine Brunson, Circuit Judge
Paul S. Bryan, Circuit Judge
Joseph P. Farina, Circuit Judge
Charles A. Francis, Circuit Judge
Mark Mahon, Circuit Judge
J. Thomas McGrady, Circuit Judge
Wayne M. Miller, County Judge
Belvin, Perry, Jr., Circuit Judge
Robert E. Roundtree, Jr., Circuit Judge
Clayton D. Simmons, Circuit Judge
Elijah Smiley, Circuit Judge
Patricia V. Thomas, Circuit Judge
Mike Bridenback, Court Administrator
Tom Genung, Court Administrator
Sandra Lonergan, Court Administrator
Carol Lee Ortman, Court Administrator
Walt Smith, Court Administrator
Mark Weinberg, Court Administrator
Robin Wright, Court Administrator*

Ex-Officio Members

*The Honorable Kevin M. Emas
Florida Conference of Circuit Court Judges
The Honorable Susan F. Schaeffer
Chair Emeritus*

Supreme Court Liaison

Justice James E. G. Perry

*Florida State Courts System
500 South Duval Street
Tallahassee, FL 32399-1900
www.flcourts.org*

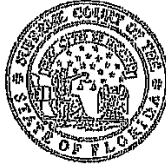
In follow up to the Judicial Administration Committee conference call held on October 18, 2010, I am writing to reiterate the Trial Court Budget Commission's purpose for tracking the progress of cases the trial courts are hearing using funding provided for the foreclosure and economic recovery initiative. When the Florida Legislature appropriated special funding of \$6 million to help the trial courts with the significant backlog of foreclosure cases, the Trial Court Budget Commission established a measurement of progress that corresponded to the funding received: 62% of the backlog cases potentially could be processed because the Legislature funded 62% of the original request from the courts. A simple case tracking system was set up to monitor the progress and identify any reasons for delays. This is so that we will be able to report to the Legislature on how these funds were used. However, the Legislature has not specifically directed us to make such a report.

The 62% rate is not a quota. The 62% rate is simply a goal set by the TCBC to help measure the courts' progress in this initiative and document how the appropriation for the foreclosure initiative is being spent. The 62% rate was set before the initiative began and, most notably, before many of the lender moratoriums and other delays occurred. Please assure judges working on this project that the 62% rate was never intended to interfere with their ability to adjudicate each case fairly on its merits.

We will continue to monitor the progress of this initiative because we have an obligation to account for how these funds have been used. But we also will document all issues related to any difficulties that prevent or delay the court from hearing and disposing of cases before them.

JL/ks

cc: TCBC Members



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
RICKY POLSTON
JORGE LABARGA
JAMES E. C. PERLY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

KEVIN WHITE
ACTING MARSHAL

November 17, 2010

Mr. Sam Morley
General Counsel
The Florida Press Association
336 East College Avenue, Suite 203
Tallahassee, Florida 32301

Mr. Talbot D'Alemberte
Mr. Larry Schwartztol
Mr. Randall Marshall
Mr. James Parker Rhea
Mr. C. Patrick Roberts
Mr. Gil Thelen
Mr. James Denton

Gentlemen:

Thank you for your letter of November 12, 2010, regarding public access to Florida foreclosure proceedings. As you know, judicial ethics rules prohibit me from intervening in actual legal disputes pending or likely to be filed in lower courts, including the possible future litigation you mentioned with regard to an incident in Duval County.

But Canon 3C(3) of the Florida Code of Judicial Conduct expressly says that "[a] judge with supervisory authority for the judicial performance of other judges shall take reasonable measures to assure . . . the proper performance of their other judicial responsibilities." Under the Florida Constitution, article V, section 2(b), I

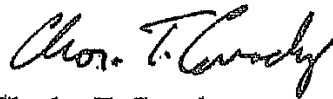
Mr. Sam Morley, et al.
November 17, 2010
Page Two

am the chief administrative officer of the state courts system. I write you solely in that capacity.

The courts of Florida belong to the people of Florida. The people of Florida are entitled to know what takes place in the courts of this state. No crisis justifies the administrative suspension of the strong legal presumption that state court proceedings are open to the public.

Today I have sent to the chief judges of Florida's twenty judicial circuits a supervisory memorandum—a copy of which is enclosed—setting forth my administrative directive on this matter. Under that directive, the chief judges shall ensure that the judges they supervise and the staff who report to those judges, as well as bailiffs and employees of the clerks of court, are not violating the rights of Floridians by improperly closing judicial proceedings to the public. The chief judges shall promptly exercise their administrative and supervisory authority to countermand closures or impediments to access that are inconsistent with Florida law.

Sincerely,



Charles T. Canady

CTC/ps

Enclosure

Debbie J. Saunders

From: David W. Fina
Sent: Tuesday, November 23, 2010 2:25 PM
To: Debra P. Sadler; Darren K. Jackson; David W. Fina; Debra P. Sadler; E. Vernon Douglas; Frederick L. Koberlein; Greg S. Parker; H. Wetzel Blair; James R. Bean; Jean Pittman; Julian E. Collins; Leandra G. Johnson; Paul S. Bryan; Sonny Scaff; Tom Coleman; William R. Slaughter
Cc: Ronna M. Cobble
Subject: MFCM

Colleagues,

I held our second round of mortgage foreclosure case management hearings in Suwannee County last Friday.

Pursuant to our discussion @ our November meeting, my brief report follows.

The case files were properly tabbed prior to the hearings.

We again scheduled 15 cases every 30 minutes.

The docket was completed on schedule and ran rather smoothly.

The hearings were again held in the courtroom as opposed to a hearing room. Little down time for positioning parties and counsel.

Attorneys were permitted to appear by tele-court.(this made life much easier on Millie, Ronna and me)

After the hearings I met with Ronna, our case manager. She briefed me on the process used currently around the circuit.

If you are not using tele-court, I urge you again to please reconsider.

Please share your experiences with us all so that we can continue to better address these matters.

Thanks,

David W. Fina
Circuit Court Judge
Third Judicial Circuit

12/14/2010

3rd Cir 1540

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Tuesday, November 30, 2010 12:40 PM
To: 'Matthew R. Kaminski'
Cc: Paul S. Bryan
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

Matthew,

I have not received a fax informing Judge Bryan which attorney will be handling the cases up for management conference on Dec. 2 of this week.

Again, these cases are to be heard by contacting the Judge's office promptly at 11:00 a.m. (386-758-2147)

Those cases are:

09-829 US Bank v. Patricia Carden
10-127 CU Members V. Lora M. Jackson
10-124 Bank of America V. Monica M. Butler
10-70 First Federal V Chrisitan Gonzalez Ortiz
10-67 Citimort. V. Robert Searcy
09-805 BAC Home Loans V. Patricia Wilkins
09-802 Bank of NY V. Daniel Straight
09-763 Citimort. V. Richard Lee
08-349 Wells Fargo V. Marisol Manresa
09-733 GMAC V. Gary Feraudo
10-159 BAC Home Loans V. Lillian Weaver register

I am sending a copy of this email to Judge Bryan.

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

From: Matthew R. Kaminski [mailto:mkaminski@dstern.com]
Sent: Tuesday, November 23, 2010 10:52 AM
To: Ronna M. Cobble
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

thank you for your email, let me speak to the managing attorney and our calendar attorney, to coordinate who will appear for us.

Matthew Kaminski, Esq.
Foreclosure Attorney
Law Offices of David J. Stern, P.A.
900 South Pine Island Road, Suite 400
Plantation, Florida 33324-3920
Phone: (954) 233-8000 ext 2075
Direct Fax: (954) 233-8660
mkaminski@dstern.com

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12/14/2010

3rd Cir 1541

confidential information that may be legally privileged. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, use or disseminate this e-mail or any attachments to it. If you have received this e-mail in error, please notify us immediately by return e-mail or by telephone at 954-233-8000 and delete this message. Please note that if this e-mail message contains a forwarded message or is a reply to a prior message, some or all of the contents of this message or any attachments may not have been produced by the sender.

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

From: Ronna M. Cobble [mailto:Cobble.Ronna@jud3.flcourts.org]
Sent: Tuesday, November 23, 2010 10:47 AM
To: Matthew R. Kaminski
Subject: 3rd Circuit Foreclosures/Case Management Hearings
Importance: High

Matt,

As per our earlier conversation, let me reiterate that it is very important that I receive a fax from your Firm no later than Nov. 29, 11:00 a.m., advising us as to whom will be representing the plaintiffs on the cases I reported to you as they are called for case management on December 2, 2010, at 11:00 a.m. sharp. Our fax number is 386-362-2658. Please send it to the attention of Ronna Cobble. Please remember, it is the duty of your attorney to call Judge Bryan's office at 386-758-2147 promptly at 11 a.m. that morning.

I am hopeful that you are going to be able to help us have a successful and efficient morning of hearings. I appreciate your help.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

12/14/2010

3rd Cir 1542

Debbie J. Saunders

From: Matthew R. Kaminski [mkaminski@dstern.com]
Sent: Wednesday, December 01, 2010 11:03 AM
To: Ronna M. Cobble
Cc: Paul S. Bryan
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

My apologies I am confirming with my calendar attorney and a fax will be coming shortly.

Matthew Kaminski, Esq.
Foreclosure Attorney
Law Offices of David J. Stern, P.A.
900 South Pine Island Road, Suite 400
Plantation, Florida 33324-3920
Phone: (954) 233-8000 ext 2075
Direct Fax: (954) 233-8660
mkaminski@dstern.com

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

From: Ronna M. Cobble [mailto:Cobble.Ronna@jud3.flcourts.org]
Sent: Tuesday, November 30, 2010 12:40 PM
To: Matthew R. Kaminski
Cc: Paul S. Bryan
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

Matthew,

I have not received a fax informing Judge Bryan which attorney will be handling the cases up for management conference on Dec. 2 of this week.
Again, these cases are to be heard by contacting the Judge's office promptly at 11:00 a.m. (386-758-2147)
Those cases are:
09-829 US Bank v. Patricia Carden
10-127 CU Members V. Lora M. Jackson
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10-70 First Federal V Chrisitan Gonzalez Ortiz

12/14/2010

3rd Cir 1543

10-67 Citimort. V. Robert Searcy
 09-805 BAC Home Loans V. Patricia Wilkins
 09-802 Bank of NY V. Daniel Straight
 09-763 Citimort. V. Richard Lee
 08-349 Wells Fargo V. Marisol Manresa
 09-733 GMAC V. Gary Feraudo
 10-159 BAC Home Loans V. Lillian Weaver register

I am sending a copy of this email to Judge Bryan.

Ronna Cobble

Foreclosure Case Manager
 Administrative Office of the Courts
 Third Judicial Circuit
 105 North Ohio Avenue
 Live Oak, FL 32064
 386-362-1017

From: Matthew R. Kaminski [mailto:mkaminski@dstern.com]
Sent: Tuesday, November 23, 2010 10:52 AM
To: Ronna M. Cobble
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

thank you for your email, let me speak to the managing attorney and our calendar attorney, to coordinate who will appear for us.

Matthew Kaminski, Esq.
 Foreclosure Attorney
 Law Offices of David J. Stern, P.A.
 900 South Pine Island Road, Suite 400
 Plantation, Florida 33324-3920
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 Direct Fax: (954) 233-8660
 mkaminski@dstern.com

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

From: Ronna M. Cobble [mailto:Cobble.Ronna@jud3.flcourts.org]
Sent: Tuesday, November 23, 2010 10:47 AM

12/14/2010

To: Matthew R. Kaminski
Subject: 3rd Circuit Foreclosures/Case Management Hearings
Importance: High

Matt,

As per our earlier conversation, let me reiterate that it is very important that I receive a fax from your Firm no later than Nov. 29, 11:00 a.m., advising us as to whom will be representing the plaintiffs on the cases I reported to you as they are called for case management on December 2, 2010, at 11:00 a.m. sharp. Our fax number is 386-362-2658. Please send it to the attention of Ronna Cobble. Please remember, it is the duty of your attorney to call Judge Bryan's office at 386-758-2147 promptly at 11 a.m. that morning.

I am hopeful that you are going to be able to help us have a successful and efficient morning of hearings. I appreciate your help.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

12/14/2010

3rd Cir 1545

Debbie J. Saunders

From: Matthew R. Kaminski [mkaminski@dstern.com]
Sent: Wednesday, December 01, 2010 12:02 PM
To: Ronna M. Cobble
Cc: Paul S. Bryan
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

Via Facsimile & Electronic Mail,

Attention: Ronna Cobble, 386-362-2658

Please be advised that the attorney Joseph Reichert, Esq. will be appearing on behalf of our firm tomorrow. He has been advised and will call in promptly at 11 am to the Judge's office # of 386-758-2147. This is in reference to the following hearings:

09-829 US Bank v. Patricia Carden
10-127 CU Members V. Lora M. Jackson
10-124 Bank of America V. Monica M. Butler
10-70 First Federal V Chrisitan Gonzalez Ortiz
10-67 Citimort. V. Robert Searcy
09-805 BAC Home Loans V. Patricia Wilkins
09-802 Bank of NY V. Daniel Straight
09-763 Citimort. V. Richard Lee
08-349 Wells Fargo V. Marisol Manresa
09-733 GMAC V. Gary Feraudo
10-159 BAC Home Loans V. Lillian Weaver register

I would again like to thank you for your assistance in coordinating these hearings. In the future either Cassandra Raicine-Rigaud (crigaud@dstern.com & telephone ext. 1626), whom is the attorney in charge of our calendar, or myself would be more than happy to

Thank you,

Matthew Kaminski, Esq.
Foreclosure Attorney
Law Offices of David J. Stern, P.A.
900 South Pine Island Road, Suite 400
Plantation, Florida 33324-3920
Phone: (954) 233-8000 ext 2075
Direct Fax: (954) 233-8660
mkaminski@dstern.com

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From: Ronna M. Cobble [mailto:Cobble.Ronna@jud3.flcourts.org]
Sent: Tuesday, November 30, 2010 12:40 PM
To: Matthew R. Kaminski
Cc: Paul S. Bryan
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

Matthew,
I have not received a fax informing Judge Bryan which attorney will be handling the cases up for management conference on Dec. 2 of this week.
Again, these cases are to be heard by contacting the Judge's office promptly at 11:00 a.m. (386-758-2147)

Those cases are:
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09-805 BAC Home Loans V. Patricia Wilkins
09-802 Bank of NY V. Daniel Straight
09-763 Citimort. V. Richard Lee
08-349 Wells Fargo V. Marisol Manresa
09-733 GMAC V. Gary Feraudo
10-159 BAC Home Loans V. Lillian Weaver register

I am sending a copy of this email to Judge Bryan.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

From: Matthew R. Kaminski [mailto:mkaminski@dstern.com]
Sent: Tuesday, November 23, 2010 10:52 AM
To: Ronna M. Cobble
Subject: RE: 3rd Circuit Foreclosures/Case Management Hearings

thank you for your email, let me speak to the managing attorney and our calendar attorney, to coordinate who will appear for us.

Matthew Kaminski, Esq.
Foreclosure Attorney
Law Offices of David J. Stern, P.A.
900 South Pine Island Road, Suite 400
Plantation, Florida 33324-3920
Phone: (954) 233-8000 ext 2075
Direct Fax: (954) 233-8660

12/14/2010

3rd Cir 1547

mkaminski@dstern.com

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From: Ronna M. Cobble [mailto:Cobble.Ronna@jud3.flcourts.org]
Sent: Tuesday, November 23, 2010 10:47 AM
To: Matthew R. Kaminski
Subject: 3rd Circuit Foreclosures/Case Management Hearings
Importance: High

Matt,

As per our earlier conversation, let me reiterate that it is very important that I receive a fax from your Firm no later than Nov. 29, 11:00 a.m., advising us as to whom will be representing the plaintiffs on the cases I reported to you as they are called for case management on December 2, 2010, at 11:00 a.m. sharp. Our fax number is 386-362-2658. Please send it to the attention of Ronna Cobble. Please remember, it is the duty of your attorney to call Judge Bryan's office at 386-758-2147 promptly at 11 a.m. that morning.

I am hopeful that you are going to be able to help us have a successful and efficient morning of hearings. I appreciate your help.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

12/14/2010

3rd Cir 1548

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Wednesday, December 08, 2010 10:50 AM
To: Greg S. Parker; Julian E. Collins; Leandra G. Johnson; Paul S. Bryan
Subject: Lack of Prosecution Notices

Mandy and I will begin working on Lack of Prosecution Notices for all counties very soon. I am learning that counties handle these a little differently. Please send me an email copy of the notice that you would like sent. It would be helpful if you send all documents associated with the multiple steps involved with Lack of Prosecution (including orders of dismissal) as we try to do all the forms at once while we have the addresses and information available in order to save time later on. We save the documents and then if the dismissal or other notices are needed they will already be completed. (These will, of course, be going out on those cases that have had no action for more than 10 months.)

If you find this message confusing, my apologies. Feel free to call me at 362-2661

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

12/14/2010

3rd Cir 1549

Debbie J. Saunders

From: Sondra M. Lanier
Sent: Friday, December 10, 2010 2:37 PM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Cc: Jenn D. Lussier; John Lake
Subject: Public Records Request

Good afternoon. There was one matter that we forgot to mention at this morning's meeting. We are preparing a response to the ACLU's public records request regarding foreclosures, and we have to retrieve e-mails that were sent or received on the subject. The server on which this information was stored experienced a failure, so we need to get the information from each of our computers. There are 2 ways to accomplish this, so please let me know which you prefer:

Option 1: You can do a search of your e-mails using the search term "foreclosure", and then forward each of those e-mails to Lussier.jen@jud3.flcourts.org so that Jenn can print and compile them.

Option 2: You can let me know that you prefer to have John log in to your account remotely and conduct the search for you. If this is your choice, we will print the e-mails and handle it all without anything being required of you (except your permission).

We need to complete this task by the end of next week, so please let me know your preference.

Thanks,
Sondra

12/14/2010

3rd Cir 1550

Debbie J. Saunders

From: Ronna M. Cobble
Sent: Monday, December 13, 2010 12:28 PM
To: Paul S. Bryan
Subject: foreclosure case

I received a call today about case 10-139. There was a suggestion of bankruptcy filed on Dec. 2. Defendant wants to know if they still attend. If the case is not heard, what is the protocol for contacting the Plaintiff?

Call if you get a chance, please.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

12/14/2010

3rd Cir 1551

Sondra M. Lanier

From: Millicent A. Schneider
Sent: Tuesday, June 01, 2010 11:15 AM
To: Sondra M. Lanier
Subject: RE: Foreclosure Plan

Really don't think I will hear from him since he will be out of service on the boat. It will probably be Monday before I will speak to him.

m

*Millie J. Schneider
Judicial Assistant to
Circuit Judge David W. Fina
Third Judicial Circuit*

***If you have an urgent communication or if you have not heard from me in response to your e-mail, telephone me. **DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.**

From: Sondra M. Lanier
Sent: Tuesday, June 01, 2010 11:08 AM
To: Millicent A. Schneider
Subject: FW: Foreclosure Plan

Please see the following that I sent Judge Fina. I was hoping that you would hear from him so that you could find out if or how he wanted me to handle it while he was out, but Lori said that you don't expect to hear from him. I didn't think that it was a good idea for me to bring Judge Johnson in since Judge Fina and I have been and will be working on it, and coordinating with the clerks will be a critical part of the process.

The e-mail to Barry was returned. Can you please tell me a correct e-mail address for him?

Thanks.

Sondra Lanier
Trial Court Administrator
Third Judicial Circuit
(386)758-2163 Lake City
(386)362-1017 Live Oak
(386)362-2658 Fax

From: Sondra M. Lanier
Sent: Tuesday, June 01, 2010 10:52 AM
To: 'pdcason@columbiaclerk.com'; 'djohnson@dixieclerk.com'; 'hamiltonclerk@flcjn.net'; 'rnlclerk@yahoo.com'; 'tsanders@madisonclerk.com'; 'barryb@swclerk.org'; 'cmock@taylorclerk.com'
Cc: David W. Fina
Subject: Foreclosure Plan

Good morning. I have received communication from the CCOC and OSCA regarding the need for the clerks and courts to develop a coordinated approach to the foreclosure issue. I just wanted to let you know that Judge Fina is out this week, but we will be in touch early next week regarding this. I have been in contact with John Dew, and he is OK with the timetable given Judge Fina's absence.

Sondra Lanier
Trial Court Administrator

Third Judicial Circuit
(386)758-2163 Lake City
(386)362-1017 Live Oak
(386)362-2658 Fax

Jenn C. Lussier

From: Greg S. Parker
Sent: Wednesday, October 13, 2010 1:53 PM
To: Darren K. Jackson
Subject: Re:

A judge in Orlando. Can't remember name. Read it online.

Greg Parker
Circuit Judge
3rd Jud. Circuit Fla.
P.O. Box 1060
Madison, FL 32341
(850) 253-0165 - Office
(850) 973-2790 - Fax
JA: Melanie Vaughn

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

From: Darren K. Jackson
To: Greg S. Parker
Sent: Wed Oct 13 13:50:08 2010
Subject:

G, What judge were you referring to in our meeting? The one about foreclosures and Motions to Recuse.

Darren K. Jackson

Lafayette County Judge

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Thursday, August 19, 2010 10:47 AM
To: Darren K. Jackson
Subject: RE: Rosh Hashana

You were the one I was thinking of when I asked the question, because I know how committed you are. Seriously...

Did you get the foreclosure info?

From: Darren K. Jackson
Sent: Thursday, August 19, 2010 10:43 AM
To: Sondra M. Lanier
Subject: RE: Rosh Hashana

Lafayette County Courthouse will be open that day hence my office will be open as well. DJ

Darren K. Jackson
Lafayette County Judge

Jenn C. Lussier

From: Melanie A. Vaughn
Sent: Wednesday, September 29, 2010 4:32 PM
To: Greg S. Parker
Subject: Suwannee Co

Oct 8th docket:

10:30 Judges' mtg in Suwannee Co.
2:00 Perry Garden Club - dedication ceremony

I need to schedule two things in Suwannee and am trying to work them in on the 8th.

I need to schedule mtg w/you and Sondra and Ronna re: foreclosures.
Also, I need to set a 30 min hrg in Jenkins v. Bracewell (Suwannee Co. case)

Please let me know if there is enough time to do everything in Suwannee that day.

Melanie A. Vaughn, Judicial Assistant
Circuit Judge Greg Parker
Post Office Box 1060
Madison, Florida 32341
(850) 253-0165
(850) 973-2790 (Fax)
vaughn.melanie@jud3.flcourts.org

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Wednesday, December 01, 2010 9:36 AM
To: Greg S. Parker
Cc: Barb Lussier
Subject: Need info please!

Judge Parker,

We are trying to get your notices out this week for your foreclosure case management conferences, and we need to know how you want us to schedule them. Judge Fina does 15 every 30 minutes, and Judge Johnson allowed 10-15 minutes per case. What is your pleasure?

Also, my aunt wants to get in touch with your sister because they were friends in school. Can you give me her contact information please?

Sondra

Jenn C. Lussier

From: Greg S. Parker
Sent: Wednesday, December 01, 2010 12:33 PM
To: Sondra M. Lanier
Subject: Re: Need info please!

Since they are appearing in person I will do them 15 every 30 minutes.

Greg Parker
Circuit Judge
3rd Jud. Circuit Fla.
P.O. Box 1060
Madison, FL 32341
(850) 253-0165 - Office
(850) 973-2790 - Fax
JA: Melanie Vaughn

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

From: Sondra M. Lanier
To: Greg S. Parker
Cc: Barb Lussier
Sent: Wed Dec 01 09:35:54 2010
Subject: Need info please!

Judge Parker,

We are trying to get your notices out this week for your foreclosure case management conferences, and we need to know how you want us to schedule them. Judge Fina does 15 every 30 minutes, and Judge Johnson allowed 10-15 minutes per case. What is your pleasure?

Also, my aunt wants to get in touch with your sister because they were friends in school. Can you give me her contact information please?

Sondra

Jenn C. Lussier

From: Melanie A. Vaughn
Sent: Thursday, December 02, 2010 3:30 PM
To: Greg S. Parker
Subject: RE: Madison Co. Jail Luncheon

I think you're right. You will be in Jasper for foreclosure hearings that morning.

Melanie A. Vaughn
Judicial Assistant to
Circuit Judge Greg Parker
Post Office Box 1060
Madison, Florida 32341
(850) 253-0165
(850) 973-2790 (Fax)
vaughn.melanie@jud3.flcourts.org

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

From: Greg S. Parker
Sent: Thursday, December 02, 2010 3:30 PM
To: Melanie A. Vaughn
Subject: Re: Madison Co. Jail Luncheon

Calendar. I think that is same day of big feed in Jasper.
Greg Parker
Circuit Judge
3rd Jud. Circuit Fla.
P.O. Box 1060
Madison, FL 32341
(850) 253-0165 - Office
(850) 973-2790 - Fax
JA: Melanie Vaughn

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

From: Melanie A. Vaughn
To: Greg S. Parker
Sent: Thu Dec 02 15:24:34 2010
Subject: Madison Co. Jail Luncheon

Pam at the Jail called - invited us to luncheon at the jail on 12/22 at noon

Melanie A. Vaughn

Judicial Assistant to
Circuit Judge Greg Parker
Post Office Box 1060

Madison, Florida 32341
(850) 253-0165
(850) 973-2790 (Fax)
vaughn.melanie@jud3.flcourts.org

Jenn C. Lussier

From: Ronna M. Cobble
Sent: Wednesday, December 22, 2010 2:46 PM
To: Greg S. Parker
Subject: case 2008-475 Madison

In finalizing my notes from Madison hearings, I can't recall , nor do I see in my notes or Jenn's, the name of the woman who appeared as a defendant/defendant's representative in the Chandler Webb case. Represented the minor son that was heir to the Chandler Webb "estate" or note???? Is there anything pertinent from what she said that I should show on the Judge's worksheet? I did want to list her name as a present party if you happened to have it. Thanks.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

Jenn C. Lussier

From: Greg S. Parker
Sent: Wednesday, December 22, 2010 4:13 PM
To: Ronna M. Cobble
Cc: Melanie A. Vaughn
Subject: RE: case 2008-475 Madison

Wendy Dickinson. The Defendant is The Estate of Joseph D. Webb II who is her Ex Husband and father of her son, Joseph D. Webb III, a minor, who is the sole beneficiary of the estate. Interestingly, the Estate of Joseph D. Webb has been discharged and there is no acting personal representative or curator. However, upon closer review of the file and by virtue of an amended complaint, Wendy Dickinson is listed in the foreclosure as a defendant in her representative capacity as guardian of Joseph III (There is an actual order appointing her guardian in a separate case). I mentioned to her yesterday that she may need to intercede in order to get on the mailing list but should consult counsel. Here is the twist, she has never been served with the amended complaint and, if she is a necessary party the plaintiff has a problem going forward.. I am reluctant to coach him on his oversight since this may be a defense used by Ms. Dickinson at hearing (lack of personal jurisdiction). Note, I am not sure he needed to amend to list the guardianship because the estate would have been sufficient as a party defendant. So she is a named party in a representative capacity as guardian but not yet under the jurisdiction of the court since she appears never to have been served. What a mess. How is that for a simple answer?

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Ronna Cobble

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Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

Jenn C. Lussier

From: Ronna M. Cobble
Sent: Tuesday, December 28, 2010 9:29 AM
To: Greg S. Parker
Subject: RE: case 2008-475 Madison

Thanks for the replies. Your "simple answer" is what makes you a brilliant judge! ☺ Can't wait until February!

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

From: Greg S. Parker
Sent: Wednesday, December 22, 2010 4:13 PM
To: Ronna M. Cobble
Cc: Melanie A. Vaughn
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Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

Sondra M. Lanier

From: Leandra G. Johnson
Sent: Saturday, June 12, 2010 3:23 PM
To: Sondra M. Lanier
Subject: RE: Notes from Friday's Meeting

Thank you.

From: Sondra M. Lanier
Sent: Saturday, June 12, 2010 3:16 PM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Cc: Lisa L. Butler; Brenda P. Pryce
Subject: Notes from Friday's Meeting

Good afternoon. Following are notes from Friday's meeting. Information in italics is related but supplemental to what was discussed at the meeting.

- Jacob Bell's last day is June 18, and he is moving away to Colorado. Harold Blakley's replacement (Duane Bestoso) will begin work on June 14. Judd Walden is also working in IT as an intern for the summer.
- Crystal Ecker and Sara Hall are doing a great job as law clerks. Crystal is the law clerk who was hired in April, and Sara is an intern for the summer. Debbie DeNike is supervising the law clerks, and they are working diligently to organize the pending motions and clear up as much backlog as possible. Jackie Jo Brinson and Junaid Savani have been hired as law clerks and will begin work on August 2 when the 90-day hold on those positions is lifted.
- Judy Eichar is retiring for health reasons, and although she is in the office until the end of June she is no longer able to work in the courtroom. Her position cannot be filled until October, so we will only have 2 stenographers until that time. Lynn Sapp will be out for surgery during a portion of that time, so we will only have 1 stenographer at times. We will use stenographers whenever available, and they will be assigned based on the prioritization established by the Supreme Court and our circuit's administrative order. However, we will have to depend on digital court reporters more often in those cases for which the Supreme Court has determined that digital is acceptable and meets our due process requirements. If an attorney/defendant requests a stenographer in a case for which the Supreme Court has determined that digital is acceptable, the attorney/defendant is responsible for hiring and paying for the court reporter.
- *Donations are being collected for a retirement gift for Judy. Lisa Butler will be purchasing a gift card for Judy on Wednesday, June 16, so please forward your donations to Lisa in the Live Oak office by Tuesday, June 15. If you work in Lake City, your donations can be given to Brenda Pryce for forwarding to Lisa.*
- Our state budgets remain basically the same as last year, so there should be no operational changes when our new fiscal year begins on July 1. The state courts trust fund was a key to our stability during the 2010 legislative session, and it will hopefully carry us through next year when the state's budget situation is expected to be even worse than this year.
- Judge Fina asked that judges remember to show appreciation to court staff who have now gone without a raise for almost 5 years. They have been working under difficult circumstances, and there is little else that we can do as an organization to help them.

- The county budgets for technology, facilities, and communications have been submitted to the counties. In order to assist the counties during the rough economic times they are facing, we have reduced the amounts requested from them by utilizing some of the unspent funds from previous years. We will be replacing some of our older computers and other equipment soon using reserves in our technology fund.
- Foreclosure and Economic Recovery funding has been made available to each circuit in order to address the statewide backlog in foreclosure cases. *This funding was allocated from the state courts trust fund, by the Legislature, at the request of the State Courts System. The courts, in partnership with the Bar, the banking industry, and other business leaders, lobbied the Legislature on this issue with the goal of moving foreclosure cases through the system to get properties back on the market to stimulate the economy.* This project is going to be closely monitored and audited, with reports going back to the Legislature in the upcoming session to show that the courts utilized the funding to achieve its intended purpose.

Our circuit's backlog was calculate by the OSCA by subtracting the number of dispositions from the number of filings from 2006-2007 through 2009-2010 (projections used for the current year based on prior performance). According to the OSCA, our circuit has a backlog of 1,325 cases, and we have been instructed to dispose of 822 cases, or 62% of our total backlog. We have received a case manager position which is currently being advertised, and we were also appropriated a secretary position that we are not planning to fill at this time. The case manager will identify the cases making up the "backlog", determine the status of each, and report to the presiding judge for direction on further actions to be taken.

The original proposal included the management of contract/indebtedness cases and small claims cases from \$5,001 to \$15,000. However, the Trial Court Budget Commission determined that the funding should be used only for foreclosure cases until the circuit meets its target reduction. At that time, the circuit will be allowed to request permission from the TCBC to expand to include the other case types.

- The Clerks and Judges are planning a cookout at Judge Fina's house on the river in September. The proposed date was September 16, but that may need to be changed. Please let Judge Fina know your availability on Thursday evenings in September.
- Judge Fina asked for volunteers to complete the training necessary to become a mentor for new judges. Please let Judge Fina or Sondra know if you are willing to serve in this capacity.

Sondra Lanier

Trial Court Administrator
 Third Judicial Circuit
 (386)758-2163 Lake City
 (386)362-1017 Live Oak
 (386)362-2658 Fax

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Tuesday, October 19, 2010 11:43 AM
To: David W. Fina
Subject: Positions and United Way

Judge Fina,

These are the positions that are currently at issue in our offices, along with the status of each:

- Pro Se Case Manager – Formerly Jill Hoblick’s position – Work being done by Carrina since Jill left in May, and it was eligible to be filled in August – Applications in but need to interview.
- Administrative Assistant III – Formerly Lisa Butler’s position (my assistant plus several other duties) – Vacant since June and eligible to be filled in October – Responsibilities spread among several employees – Advertised now, but may remain vacant until January depending on election results
- Foreclosure Case Manager – This is Ronna’s position, and even if she was here full-time, she would have a problem keeping up with all of the foreclosure work. However, she is out until mid-December. She is doing a great job, but her absence is creating an additional burden on existing staff.
- Foreclosure Secretary – We were going to leave this position open to see how the foreclosure project progressed, but we need to fill it as soon as we can so that someone else will be available to send notices. Because it is an OPS position, we are not required to advertise. I know someone who has retired after many years with an insurance company in central Florida and is interested in assuming this position. I would like permission to fill this position right away.
- Digital Court Reporter (2 positions) – This position was vacated suddenly by Debbie Copeland, and we need to fill it as soon as possible because digital needs the help. Because of the funding source, we do not have to leave this position vacant for 60 days like other due process positions. We have pulled 3 previous applications and are prepared to interview. I have a potential “fix” to vacate the 4th digital position, but it depends on the outcome of the family case manager interviews. Once this position is vacated, we will have to leave it vacant for 60 days. Digital is about to have responsibilities for redacting the cd’s they produce, and this will create a workload issue that will be addressed with the addition of this 4th position back into that department.
- Stenographer – This position was vacated by Judy Eichar, and we were required to leave it vacant for 60 days. However, the current workload does not justify filling of this position.
- User Support Analyst – This is Jacob’s old position, and we need to fill it as soon as possible. – John still likes Tyson Hill, and we have forwarded a resume we received yesterday for his review.
- Family Court Manager – This position has been vacant since the spring of 2008, but I can see a need to have a family court manager given the projects that we keep being handed from OSCA. We are going to use the vacant position to bring someone in to train for Barb’s job. Because of the “salary management schedule”, using the position as we plan to use it will mean that this position can’t be filled until next August. (I know – won’t be your problem then.)

Given the status of all of this, we are very limited in our ability to delegate. This is also affecting our ability to handle projects in the manner that we would prefer to handle them. I received a phone call from Judge Johnson today, because

she is on the board of the United Way and was notified that Lisa has not been attending meetings regarding the State Employees Charitable Campaign. She hasn't been attending meetings because of her workload here, and we have to prioritize whether we handle things here or she drives to Lake City for a United Way meeting. I can try to find someone in Lake City to attend those meetings, but we really don't have staff with enough available time to fully engage in United Way activities. (I also don't think that it's appropriate to put pressure on our employees to contribute to the United Way at this time.)

Please advise on ALL!

Sondra

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 2:51 PM
To: Darren K. Jackson
Subject: RE:

Huh?

From: Darren K. Jackson
Sent: Tuesday, November 09, 2010 2:50 PM
To: Sondra M. Lanier
Subject: RE:

I did my survey weeks ago and Donna sent it back. DJ

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 2:49 PM
To: Darren K. Jackson
Subject: RE:

But with whom will I pass notes?

By the way.... What is the status on your foreclosure cases?

From: Darren K. Jackson
Sent: Tuesday, November 09, 2010 2:41 PM
To: Sondra M. Lanier
Subject: RE:

Ok...I may not make it as I need to take day off....but I will let you know if I will attend.

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 2:40 PM
To: Darren K. Jackson
Subject: RE:

Come to the meeting, and you may hear. (If not, I'll tell you afterward.)

From: Darren K. Jackson
Sent: Tuesday, November 09, 2010 2:40 PM
To: Sondra M. Lanier
Subject: RE:

Who is skipping? It is my week this week.

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Wednesday, December 08, 2010 3:30 PM
To: Sondra M. Lanier
Subject: telecourt

I recvd. A call today about J. Collins' hearings on Dec. 16 and the use of the telephone. I need to know for certain if telecourt will be used and how to direct parties to sign up. The attorney's assistant today had never used it before but was familiar with the fee and the service. Please help me know what to tell parties.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-2661

Sondra M. Lanier

From: Greg S. Parker
Sent: Wednesday, December 01, 2010 4:43 PM
To: Sondra M. Lanier
Cc: lussier.barb@jud3.flcourts.org
Subject: RE: Foreclosure Case Mgt Order

I just got out of Felony Court here in Hamilton. Yes the Case Mgt order is the final version. All we need to do is fill in the blanks. This one is different than the ones used by other judges. I am taking a different approach and setting them all to be in person to motivate them to file something or set a hearing that moves the case along. I suspect there will be a large percentage taking action to avoid having to travel to a hearing. If not they get to come see me. Since they will all be coming and each should be a short hearing I can probably finish one call the next one and get done early. Again I am expecting many to avoid the case management hearing by actually filing something or setting a hearing. If they don't they probably wont show up and I will then take action to sanction by dismissal or other action. Parker

From: Sondra M. Lanier
Sent: Wed 12/1/2010 1:49 PM
To: Greg S. Parker
Cc: lussier.barb@jud3.flcourts.org
Subject: FW: Foreclosure Case Mgt Order

Ronna is out sick, so we are pinch hitting. Is this the final version?

From: Greg S. Parker
Sent: Monday, September 27, 2010 4:52 PM
To: Sondra M. Lanier
Cc: David W. Fina
Subject: Foreclosure Case Mgt Order

Here is what I have come up with. I have copied the Chief. Let me know your thoughts or if there is another one in the works.

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Wednesday, December 01, 2010 1:42 PM
To: Sondra M. Lanier; Barb Lussier
Subject: Case Management Notices

Sondra – do you know if Ronna has contacted Judge Parker regarding the verbiage of the case management notices? I think that Judge Johnson's was different from Judge Collins, but I'm not sure.

We are at a standstill up here ...

Barb for

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

Sondra M. Lanier

From: John Lake
Sent: Sunday, November 28, 2010 9:24 AM
To: Frederick L. Koberlein; Sondra M. Lanier
Subject: Re: MFCM

Yes. All we need is a speakerphone and phone line.

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

From: Frederick L. Koberlein
To: Sondra M. Lanier; John Lake
Sent: Sat Nov 27 07:21:08 2010
Subject: FW: MFCM

Is that "tele-court" stuff available for the small counties?

VTY

FLK

From: David W. Fina
Sent: Tuesday, November 23, 2010 2:25 PM
To: Debra P. Sadler; Darren K. Jackson; David W. Fina; Debra P. Sadler; E. Vernon Douglas; Frederick L. Koberlein; Greg S. Parker; H. Wetzel Blair; James R. Bean; Jean Pittman; Julian E. Collins; Leandra G. Johnson; Paul S. Bryan; Sonny Scaff; Tom Coleman; William R. Slaughter
Cc: Ronna M. Cobble
Subject: MFCM

Colleagues,

I held our second round of mortgage foreclosure case management hearings in Suwannee County last Friday. Pursuant to our discussion @ our November meeting, my brief report follows.

The case files were properly tabbed prior to the hearings.

We again scheduled 15 cases every 30 minutes.

The docket was completed on schedule and ran rather smoothly.

The hearings were again held in the courtroom as opposed to a hearing room. Little down time for positioning parties and counsel.

Attorneys were permitted to appear by tele-court.(this made life much easier on Millie, Ronna and me)

After the hearings I met with Ronna, our case manager. She briefed me on the process used currently around the circuit.

If you are not using tele-court, I urge you again to please reconsider.

Please share your experiences with us all so that we can continue to better address these matters.

Thanks,

David W. Fina

Circuit Court Judge

Third Judicial Circuit

Sondra M. Lanier

From: Dorothy Wilson <burked@flcourts.org>
Sent: Wednesday, November 24, 2010 11:41 AM
To: Barb Lussier
Cc: Jeff A. Smith; Sondra M. Lanier; Gary Phillips
Subject: RE: Funding Transfer Question

Yes, Tuesday will be fine. Also, just to clear up any confusion I may have caused from my previous email, this budget amendment should not have any impact or delay on the hiring of your OPS employee.

Have a great Thanksgiving!

*Dorothy P. Wilson
OSCA - Office of Budget Services
500 S. Duval Street
Tallahassee, Florida 32399-1900
(850) 488-3735 / (850) 487-0664 Fax*

From: Barb Lussier [mailto:lussier.barb@jud3.flcourts.org]
Sent: Wednesday, November 24, 2010 11:36 AM
To: Dorothy Wilson
Subject: RE: Funding Transfer Question

When I sent the email this morning, I didn't know that someone was hired. They start on Monday. I'll submit the budget amendment on Tuesday. Will that be okay?

Barbara S. Lussier
Administrative Services Manager
Third Judicial Circuit
105 N. Ohio Avenue
Live Oak, FL 32064
(386) 362-2673 - phone
(386) 362-2658 - fax

From: Dorothy Wilson [mailto:burked@flcourts.org]
Sent: Wednesday, November 24, 2010 10:07 AM
To: Barb Lussier
Cc: Jeff A. Smith; Sondra M. Lanier; Gary Phillips
Subject: RE: Funding Transfer Question

Hi Barb,

You'll need to submit a budget amendment request to transfer the funds. Also, note you can not hire the OPS employee until the budget amendment has been approved by the Legislature. Thanks

*Dorothy P. Wilson
OSCA - Office of Budget Services
500 S. Duval Street
Tallahassee, Florida 32399-1900
(850) 488-3735 / (850) 487-0664 Fax*

From: Barb Lussier [mailto:lussier.barb@jud3.flcourts.org]
Sent: Wednesday, November 24, 2010 7:55 AM
To: Dorothy Wilson
Cc: Jeff A. Smith
Subject: FW: Funding Transfer Question

Good morning. Our circuit is just now interviewing for the OPS Administrative Support position. As I understand, the funding will expire on 06/30/11. We would like to transfer \$10,000 from OPS to Expense in the 22-20-03-00-375 category. We will use these funds to help defray printing, postage, etc. costs associated with the foreclosure expenses.

Please let me know if you need additional information. Thank you.

Barbara S. Lussier
Administrative Services Manager
Third Judicial Circuit
105 N. Ohio Avenue
Live Oak, FL 32064
(386) 362-2673 - phone
(386) 362-2658 - fax

From: Jeff A. Smith
Sent: Tuesday, November 23, 2010 7:29 AM
To: Barb Lussier
Subject: FW: Funding Transfer Question

From: Dorothy Wilson [mailto:burked@flcourts.org]
Sent: Monday, November 22, 2010 4:35 PM
To: Jeff A. Smith
Subject: RE: Funding Transfer Question

Hi Jeff,
Sorry but your statement is not clear, are you trying to move funds to OPS?

*Dorothy P. Wilson
OSCA - Office of Budget Services
500 S. Duval Street
Tallahassee, Florida 32399-1900
(850) 488-3735 / (850) 487-0664 Fax*

From: Jeff A. Smith [mailto:Smith.Jeff@jud3.flcourts.org]
Sent: Friday, November 19, 2010 1:36 PM
To: Dorothy Wilson
Subject: Funding Transfer Question

Dear Ms. Wilson,

We would like to transfer \$10,000.00, within Foreclosure and Economic Recovery funding, from the OPS for General Magistrate/Senior Judge Administrative Support to Expenses (040000). Is this permissible? We are now looking to hire for this position so ample funding will be available.

Thank you,
Jeff Smith

Sondra M. Lanier

From: Paul S. Bryan
Sent: Tuesday, November 09, 2010 11:43 AM
To: Sondra M. Lanier
Subject: RE: Foreclosure Case Management

Spoke w/ Ronna at length on my cases this am. Asked her to get me copies of the orders setting case mgmt. which other judges are utilizing. Even if not exactly 'uniform' – I'd like to not reinvent what exists – and to be aware of the excellent orders already created by my brothers and sister in black! Paul Bryan

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

From: Sondra M. Lanier
Sent: Tuesday, November 09, 2010 10:50 AM
To: Paul S. Bryan
Cc: David W. Fina
Subject: Foreclosure Case Management

Good morning Judge Bryan,

Ronna mentioned that you had discussed some foreclosure case management issues with her, and she told me that you suggested that we try to standardize things around the circuit. Judge Fina and I tried to do that from the beginning of the project, but we determined that it was not going to be possible within the timeframes that we have been given. We will soon be halfway through this project, and to be honest, we are doing good to get a game plan from each judge without trying to make it uniform. Judge Fina and I decided that we would just have to go with what each individual judge wanted so that we could begin to move forward. Since decisions about actions on cases assigned to a judge are within the discretion of the individual judge, we are adapting our processes to meet the judges' preferences.

Sondra

Sondra M. Lanier

From: David W. Fina
Sent: Thursday, October 28, 2010 10:16 AM
To: Sondra M. Lanier
Subject: RE: Foreclosure Cases

Yes, the notices for case mtg. as soon as we have a date.

From: Sondra M. Lanier
Sent: Wednesday, October 27, 2010 6:19 PM
To: David W. Fina
Cc: Ronna M. Cobble
Subject: Foreclosure Cases

Judge Fina,

I admit it! I dropped the ball! Since the attorneys are preparing orders in the cases that were continued from your last case management docket, is it Notices of Hearing that we need to QUICKLY prepare and mail out on those cases? I am assuming that the attorneys will put continued for 30 days in their orders, but they will not know the next hearing date. Am I on the right track? (Sorry, but I'm thankful that you are the judge we are learning on our first docket with.)

Sondra

Sondra M. Lanier

From: Carrina M. Cooper
Sent: Wednesday, November 17, 2010 8:38 AM
To: Sondra M. Lanier
Subject: RE: Notes from Judges' Meeting

Thank you for sending these. This is very helpful!

Carrina

From: Sondra M. Lanier
Sent: Friday, November 12, 2010 4:35 PM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Cc: Debbie A. DeNike; Carrina M. Cooper
Subject: Notes from Judges' Meeting

Good afternoon. Following are notes from today's judges' meeting (with a few additional pieces of information).

Court Administration Update

- Jackie Jo Brinson and Junaid Savani, two of our law clerks, presented information about WestLaw Next. Jackie Jo demonstrated some of the features of the new program and advised that Debbie DeNike is working to bring some training to the circuit. Judge Fina asked that the training be on the day of a future judges' meeting for the convenience of those who choose to participate.
- Sondra advised that in the past 6 months the law clerks have reduced the backlog of post-conviction motions from 501 to 297. They expect that all motions filed prior to 2009 will be completed by the end of this year. A backlog has existed for several years, and the situation was aggravated by turnover and hiring freezes. Debbie DeNike and the law clerks have done a wonderful job of organizing and prioritizing the cases so that the backlog continues to be reduced.
- Staff positions are being filled, and court administration expects to be back up to full staff by the end of the year. An updated employee directory has not been produced because of staff turnover and vacancies, but a new one will be published and distributed in early 2011.

Judge Case Count Reporting Requirement

- The clerks of court are supposed to be cleaning up the data in CCIS so that the case count by judge report will be as accurate as possible when it is presented to the Legislature. Some of the clerks have been in contact with the judges in their counties about this, but access to this information through CCIS will not be available to judges and court administration until December 1. At that time, we should be able to access the "appropriations" report through CCIS. Court administration staff will review the data and work with each judge to address whatever issues may exist. This is the data that will be used to prepare the alternative report by division to be prepared and submitted by the court administrator. Staff should be able to look at reopened cases and determine how many were VOP's so that those proceedings will be properly accounted for, and we will work

with each judge to determine the other factors that need to be considered in order to present the most accurate picture of workload in each county/division.

E-Portal Update

- A memo regarding the recently established ePortal Interlocal Authority was provided to the judges. The Florida E-Filing Authority is the public body that will own the new Statewide E-Filing Court Records Portal through which attorneys and litigants will be able to file pleadings. The portal is to be up and running by January 1, 2011. The e-filing plans for probate court in all of the counties in our circuit have been approved. Taylor County recently submitted an application for most of the other divisions in their county, and we expect the other counties to submit a coordinated plan for their other divisions soon. Additional equipment and training will be provided before the judges are expected to begin using the system.

Courtroom Space

- Judge Fina reminded everyone that when you are scheduling a hearing in a courthouse other than where you are primarily assigned, please remind your JA's to notify courthouse security in advance. Also, please remember to coordinate with the local judges as well to be sure that courtroom space is available.

Mortgage Foreclosure Case Management Issues

- Because of a "disparity in judicial philosophies" regarding mortgage foreclosure case management, Judge Fina advised the judges to work with Ronna Cobble in Court Administration to manage their cases as they see fit. Judge Fina described how he handled his first foreclosure case management docket, and he asked other judges to share their experiences after their hearings as well. Although there was no consensus on a circuit-wide form, Ronna has examples of notices/orders that other judges in our circuit have used.

Duty Judge Protocol

- Judge Fina discussed the duty judge protocol again and asked for input regarding whether the protocol should be continued. The consensus was that it should be continued. Judge Fina emphasized the importance of judges being available when they are the duty judge, including answering their cell phones when called and being in proximity to the technology necessary for them to receive, sign, and return emergency petitions, search warrants, etc. Also, Judge Fina asked that judges be sure their JA's are familiar with the protocol and follow it appropriately.

County Funding

- The judges reviewed the options available to address the issue of counties not paying their portion of the technology and/or facilities budgets for the courts. (For more information, please contact Judge Fina.) There will be a 15-minute meeting prior to the Christmas luncheon to follow up on this.

Judicial Assignments for July

- There will be a Chief Judge election in February, and judicial assignments will be made accordingly.

Court Calendar

- Once again, Judge Fina reminded judges of the importance of reviewing the draft master calendar when it is sent out for comments. If you have concerns, including scheduling around certain holidays, etc., those should be addressed with Carrina at that time rather than after the calendar has been finalized.

FUTURE MEETINGS: December – There will be a 15-minute meeting prior to the Christmas luncheon at Melody Christian Center.

January – We will invite our legislative delegation to attend this meeting, which will be held in Live Oak. Lin Williams' investiture may be held after lunch on the same day, but this has not been confirmed.

February – The meeting will be held in Hamilton County in February.

Sondra M. Lanier

From: Leandra G. Johnson
Sent: Monday, October 25, 2010 5:43 PM
To: Sondra M. Lanier; Ronna M. Cobble
Cc: Diane B. Hiers
Subject: RE: Staff News

I really appreciate Ronna and whoever helped her in court administration prepare the orders on case management in my pending foreclosure cases.

Leandra Johnson
Circuit Judge

From: Sondra M. Lanier
Sent: Monday, October 25, 2010 10:25 AM
To: Barb Lussier; Bonnie S. Page; Brenda P. Pryce; Carrina M. Cooper; Casey C. Harrison; Charna E. Raines; Crystal M. Ecker; D. Judd Walden; Debbie A. DeNike; Debbie L. Copeland; Dianna W. Peeler; Duane L. Bestoso; Jackie-Jo Brinson; Jana D. Sullivan; Janice M. Howard; Jennifer R. Kuyrkendall; John Lake; Judy S. Eichar; Junaid X. Savani; June Byers; Kathleen M. Brackney; Laurie A. Chaffin; Lisa L. Butler; Lori A. McKee; Lynn Sapp; Nancy T. Blanton; Ronna M. Cobble; Rosalind Merrick; Sandy A. Ring; Tracy Brantley
Cc: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Subject: Staff News

Good morning. Please join me in congratulating Janice Howard who will be assuming the duties of family court case manager next week. Janice was first hired as part-time secretary for the Child Support Hearing Officer, and she then moved to the front desk in Lake City when she was promoted to Administrative Assistant II.

Charna Raines will remain at the front desk in the Lake City office, and she will assume all of the responsibility for the phones and assisting walk-in's. We will not have a second person at the front as we have had in the past, so I am asking Lake City staff to pitch in and help as needed.

The Administrative Assistant III and Administrative Services Manager postings close tomorrow. We will be advertising soon for 2 digital court reporters, although we do not expect those positions to be filled until December. We have not yet hired a User Support Analyst to fill Jacob's old position, although we hope to fill that position soon as well.

Ronna Cobble, who is the Foreclosure Case Manager, is able to work only a few hours per week until mid-December. We are pitching in as much as possible to keep the foreclosure cases moving in her absence, but her absence is definitely being felt.

Thanks to all of you who are pitching in to fill the voids created by all of these vacancies, and to those who are being patient as we adjust workloads and do our best to respond to you in a timely manner.

Sondra

Sondra M. Lanier

From: Lisa L. Butler
Sent: Wednesday, October 20, 2010 10:52 AM
To: Sondra M. Lanier
Subject: FW: OPS Secretary
Attachments: image002.gif

Just FYI...

Lisa Butler
Human Resources
Third Judicial Circuit, Florida
105 North Ohio Avenue
Live Oak, Florida 32064
Telephone: (386) 362-2656
Fax: (386) 362-2658

From: Amy Pike [mailto:pikea@flcourts.org]
Sent: Wednesday, October 20, 2010 10:39 AM
To: Lisa L. Butler
Subject: RE: OPS Secretary

Yes, Budget needs approximately 3 days to approve a position so as soon as I receive your OPS Authorization form, I will forward it to them.

Thanks,
Amy

From: Lisa L. Butler [mailto:butler.lisa@jud3.flcourts.org]
Sent: Wednesday, October 20, 2010 8:24 AM
To: Amy Pike
Subject: OPS Secretary

Good morning Amy. The Third Circuit is preparing to hire for the OPS Secretary position for the foreclosure cases. Do we need prior authorization? I seem to remember an email saying that we had to have it approved before we hire.

Thank you.

Lisa Butler
Human Resources
Third Judicial Circuit, Florida
105 North Ohio Avenue
Live Oak, Florida 32064
Telephone: (386) 362-2656
Fax: (386) 362-2658

Sondra M. Lanier

From: Barb Lussier
Sent: Wednesday, October 20, 2010 9:46 AM
To: 'djohnson@dixieclerk.com'
Cc: Ronna M. Cobble; Sondra M. Lanier
Subject: Lack of Prosecution & Dismissal Orders -- #1
Attachments: dix lop-dis 06-023.doc; dix lop-dis 02-156.doc; dix lop-dis 02-244.doc; dix lop-dis 02-295.doc; dix lop-dis 02-333.doc; dix lop-dis 02-483.doc; dix lop-dis 03-017.doc; dix lop-dis 03-129.doc; dix lop-dis 04-326.doc; dix lop-dis 05-325.doc

Good morning. I am assisting Ronna Cobble with the distribution of the Lack of Prosecution & Dismissal Orders for foreclosure cases. Please let me know if I can assist you in any way. Thank you.

Barbara S. Lussier
Administrative Services Manager
Third Judicial Circuit
105 N. Ohio Avenue
Live Oak, FL 32064
(386) 362-2673 - phone
(386) 362-2658 - fax

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Tuesday, October 19, 2010 8:32 PM
To: Sondra M. Lanier
Subject: FW: Case management date

FYI...I'll be in late Wed. afternoon to see where we are with this.
Ronna

From: Diane B. Hiers
Sent: Tue 10/19/2010 3:35 PM
To: Ronna M. Cobble
Subject: RE: Case management date

Hi Ronna –

Please give me a call today – I just need to point out a couple of things that Judge Johnson noticed on the order that you sent.

We are going to use Monday, November 15, 2010 beginning at 8:30 am for the case management hearings. For the law firms with multiple cases, we need to allow ten minutes. For all others, please allow 15 minutes each. Let's set all the David Stern, FI Default Law & Albertelli Law cases (total of 21 cases) from 8:30 – 11:50 am. Then start the afternoon cases at 1:00 pm with the Marshall Watson, Shapiro & Fishman, and Kahanne & Assoc. cases (total of 16 cases) set from 1:00 – 3:30 pm, then, allowing 15 min each for the remaining six cases, set those from 3:45 – 5:00 pm (so we should conclude the last hearing at 5:15 pm). Let me know if I miscalculated the cases or hearing times.

Judge Johnson would like the orders to all go out by Friday of this week.

Thanks

*Diane B. Hiers, Judicial Assistant to
Judge Leandra G. Johnson
P. O. Box 2123
Lake City, FL 32056
Phone: 386-719-2012 Fax: 386-719-7500*

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

From: Ronna M. Cobble
Sent: Saturday, October 16, 2010 1:36 PM
To: Diane B. Hiers
Subject: RE: Case management date

There are a total of 43 cases to be heard. I did an attorney break-down as you asked.

- *Law Office of David J. Stern has 17 cases.
 - *Law Office of Marshall C. Watson has 11 cases.
 - *Shapiro and Fishman have 3 cases.
 - *Florida Default Group has 2 cases.
 - *Albertelli Law has 2 cases.
 - *Kahanne and Associates have 2 cases.
- All other cases are represented by varying firms.

There is, of course, a place for Judge Johnson to sign. An additional signature is there for certifying service. That may be me or someone else in the office that actually mails the notices.

Let me know if I can help further. I await your reply.
Ronna

From: Diane B. Hiers
Sent: Fri 10/15/2010 5:04 PM
To: Ronna M. Cobble
Subject: RE: Case management date

Ok, thanks. Have a great weekend and enjoy the cooler weather!

*Diane B. Hiers, Judicial Assistant to
Judge Leandra G. Johnson
P. O. Box 2123
Lake City, FL 32056
Phone:386-719-2012 Fax:386-719-7500*

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

From: Ronna M. Cobble
Sent: Friday, October 15, 2010 5:02 PM
To: Diane B. Hiers
Subject: RE: Case management date

I am leaving at this moment. I will send a message this weekend re: number of cases and a sample one.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

From: Diane B. Hiers
Sent: Friday, October 15, 2010 4:19 PM
To: Ronna M. Cobble
Subject: RE: Case management date

Hi Ronna –

Please e-mail one of the case management notices for Judge Johnson's review, also I believe that Judge Johnson wants to sign the notices herself rather than someone else. What is the total number of cases? I'm trying to find time to set them.

Thanks.

*Diane B. Hiers, Judicial Assistant to
Judge Leandra G. Johnson
P. O. Box 2123
Lake City, FL 32056
Phone:386-719-2012 Fax:386-719-7500*

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

From: Ronna M. Cobble

Sent: Friday, October 15, 2010 4:08 PM

To: Diane B. Hiers

Subject: Case management date

Good afternoon, Diane. I have the case management notices prepared and saved electronically. When Judge Johnson is ready to assign dates and times let me know and I will insert that information, print and send the notices. Please allow me at least one week to get those tasks done before the date necessary for posting it in the mail. I will await your email. Thanks.

Ronna Cobble

Foreclosure Case Manager

Administrative Office of the Courts

Third Judicial Circuit

105 North Ohio Avenue

Live Oak, FL 32064

386-362-1017

Sondra M. Lanier

From: Sharon Hale <sharonh@suwclerk.org>
Sent: Monday, October 18, 2010 4:23 PM
To: Sondra M. Lanier
Subject: RE: Notes from Court

She's got them, and my minute pages is filed in the back of the file
If you need anything, let me know, if our notes differ give me a call.
I just could be wrong on occasion.
Have a good night.
Sharon

From: Sondra M. Lanier [mailto:lanier.sondra@jud3.flcourts.org]
Sent: Monday, October 18, 2010 4:09 PM
To: Sharon Hale
Subject: RE: Notes from Court

Actually, I will send Lori McKee down to get them if that's OK.

From: Sharon Hale [mailto:sharonh@suwclerk.org]
Sent: Monday, October 18, 2010 3:54 PM
To: Sondra M. Lanier
Subject: RE: Notes from Court

Hey Girl,

Hope you had a really great weekend. Cause guess what? It is over.
Time to get back to work.

I have already docketed my minute pages & filed them. Judge Fina said
You were going to come & get my files. They are ready & waiting.

Sharon

From: Sondra M. Lanier [mailto:lanier.sondra@jud3.flcourts.org]
Sent: Monday, October 18, 2010 3:31 PM
To: Sharon Hale
Subject: Notes from Court

Hi there Foreclosure Queen! I am getting ready to work on orders from Friday's foreclosure docket, so can you please share your notes in case I missed something (which is highly likely)?

Thanks!

Sondra

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials and agencies regarding State or Local business are public records available to the public and media upon request. Your email communications, including your email address, may therefore be subject to public disclosure.

Confidentiality Notice: This message and any attachments are for the sole use of the intended recipient(s) and may contain confidential and privileged information

Sondra M. Lanier

From: Millicent A. Schneider
Sent: Monday, October 18, 2010 3:52 PM
To: Sondra M. Lanier
Subject: RE: dismissals

How far out do you want?? 30 days? 60 days?
m

*Millie J. Schneider
Judicial Assistant to
Circuit Judge David W. Fina
Third Judicial Circuit*

***If you have an urgent communication or if you have not heard from me in response to your e-mail, telephone me. **DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.**

From: Sondra M. Lanier
Sent: Monday, October 18, 2010 3:47 PM
To: Millicent A. Schneider
Subject: RE: dismissals

I need a date for the foreclosure continuances and any new cases we need to schedule for case management please.

Thanks

From: Millicent A. Schneider
Sent: Monday, October 18, 2010 3:28 PM
To: Sondra M. Lanier
Subject: FW: dismissals

*Millie J. Schneider
Judicial Assistant to
Circuit Judge David W. Fina
Third Judicial Circuit*

***If you have an urgent communication or if you have not heard from me in response to your e-mail, telephone me. **DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.**

From: Sharon Hale [mailto:sharonh@suwclerk.org]
Sent: Monday, October 18, 2010 1:06 PM
To: Millicent A. Schneider
Subject: dismissals

Millie,
These are the ones I have found so far.
They are in the County Court, but you can change that
& reword them as you need them to read.
Anything else, let me know.

Sondra M. Lanier

From: David W. Fina
Sent: Monday, October 18, 2010 9:58 AM
To: Sondra M. Lanier
Cc: Millicent A. Schneider
Subject: RE: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

Millie has a standard order I believe.
She can give you a date.

From: Sondra M. Lanier
Sent: Monday, October 18, 2010 9:42 AM
To: David W. Fina
Subject: RE: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

I was going to ask you about that. There were quite a few that were continued, so I need a date to put in the orders. Also, do you have a standard order of dismissal, or should I just draft something?

From: David W. Fina
Sent: Monday, October 18, 2010 9:07 AM
To: Sondra M. Lanier
Subject: RE: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

Have you prepares the orders for the case management hearings that were not to be prepared by counsel?
We need to reset those continued and any others ready for this process.

From: Sondra M. Lanier
Sent: Friday, October 15, 2010 6:11 AM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Subject: FW: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

FYI...

From: Melissa Henderson [mailto:HendersM@flcourts.org]
Sent: Thursday, October 14, 2010 12:10 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Susan Leseman; OSCA-JUED; Blan Teagle
Subject: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

To: Chief Judges and Trial Court Administrators

From: Judge Mark King Leban, Chair, Florida Court Education Council's Publications Committee

Re: New Publication: *Residential Foreclosure Bench Book*

Sondra M. Lanier

From: David W. Fina
Sent: Monday, October 18, 2010 9:07 AM
To: Sondra M. Lanier
Subject: RE: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

Have you prepares the orders for the case management hearings that were not to be prepared by counsel?
We need to reset those continued and any others ready for this process.

From: Sondra M. Lanier
Sent: Friday, October 15, 2010 6:11 AM
To: Candice T. Herring; Darren K. Jackson; David W. Fina; Debbie J. Saunders; Debra P. Sadler; Diane B. Hiers; Donna D. Moore; Donna K. Jones; E. Vernon Douglas; Frederick L. Koberlein; Greg Parker; H. Wetzel Blair; Heather J. Norris; James R. Bean; Jean Pittman; Joyce Cameron; Julian E. Collins; Leandra G. Johnson; Linda H. Morgan; Marcie A. Kemp; Melanie A. Vaughn; Millicent A. Schneider; Pam K. Ring; Paul S. Bryan; Sonny Scaff; Sybil C. Powell; Tom Coleman; William R. Slaughter
Subject: FW: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

FYI...

From: Melissa Henderson [mailto:HendersM@flcourts.org]
Sent: Thursday, October 14, 2010 12:10 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Susan Leseman; OSCA-JUDED; Blan Teagle
Subject: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee

To: Chief Judges and Trial Court Administrators

From: Judge Mark King Leban, Chair, Florida Court Education Council's Publications Committee

Re: New Publication: *Residential Foreclosure Bench Book*

The Publications Committee of the Florida Court Education Council is pleased to announce the posting of the *Residential Foreclosure Bench Book* in the Court Education Resource Library on the Florida State Courts intranet. The *Residential Foreclosure Bench Book* was written by the Eleventh Circuit's Judge Jennifer Bailey and Assistant General Counsel Doris Bermudez-Goodrich. Used for a recent judicial education course for judges assigned to hear foreclosure cases, this bench book presents readers with the nuts and bolts of current foreclosure law and procedures.

In addition to this bench book, the Court Education Resource Library, developed by OSCA's Court Education Section and Publications Unit, contains a plethora of judicial education materials, among them, court publications (benchguides, bench books, toolkits, and case summaries); court education program materials; and other useful resources (a catalog of books, manuals, and other publications, including materials by state and national organizations).

A PDF of the bench book is attached, but you can also access it from the Court Education Resource Library, at [https://intranet.flcourts.org/osca/Judicial Education/Library/librarymain.shtml](https://intranet.flcourts.org/osca/Judicial%20Education/Library/librarymain.shtml) (As the bench book will be

Sondra M. Lanier

From: Millicent A. Schneider
Sent: Thursday, October 14, 2010 10:30 AM
To: Sondra M. Lanier
Subject: RE: Schedule

I believe you will need to prepare a docket of all the cases that will be heard and e-mail it to me. I will then forward it to the clerk so they can make sure all files is in order for the hearing.

m

*Millie J. Schneider
Judicial Assistant to
Circuit Judge David W. Fina
Third Judicial Circuit*

***If you have an urgent communication or if you have not heard from me in response to your e-mail, telephone me. **DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.**

From: Sondra M. Lanier
Sent: Thursday, October 14, 2010 9:27 AM
To: Millicent A. Schneider
Subject: RE: Schedule

OK. I will be there for the mortgage foreclosure cases, so I'll plan to hang around afterward.

Does the clerk usually prepare a docket for events like the case management hearings, or do I need to do something?

From: Millicent A. Schneider
Sent: Thursday, October 14, 2010 9:25 AM
To: Sondra M. Lanier
Subject: RE: Schedule

His schedule is booked with civil and tomorrow morning he has the mortgage foreclosure case management hearings. After he is finished tomorrow morning he should have time.

m

*Millie J. Schneider
Judicial Assistant to
Circuit Judge David W. Fina
Third Judicial Circuit*

***If you have an urgent communication or if you have not heard from me in response to your e-mail, telephone me. **DO NOT ASSUME THAT YOUR E-MAIL HAS BEEN RECEIVED.**

From: Sondra M. Lanier
Sent: Thursday, October 14, 2010 9:18 AM
To: David W. Fina
Cc: Millicent A. Schneider
Subject: Schedule

Does resolution of the murder trial mean that you will be available this week?

Sondra M. Lanier

From: Pat Perry <pperry@columbiaclerk.com>
Sent: Wednesday, October 13, 2010 3:16 PM
To: Sondra M. Lanier
Subject: Inactive Foreclosure cases

I think when we talked before, I told you that there were some Foreclosure cases that we had sent out Notices of Lack of Prosecution on before your office began working on them. I have some of these cases now that are ready for the second step. Should we follow through with them, or is your office handling all of them? I just don't want to duplicate work on the same cases you are working on.

Thanks,

Patricia A. Perry

Chief Deputy

Columbia County Clerk of Courts

P. O. Box 2069

Lake City, FL 32056

386.758.1350

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Friday, October 01, 2010 12:24 PM
To: Sondra M. Lanier
Subject: Dixie LOP

Barb and I have discussed how to send LOP for Dixie. I talked with Dana J. and she likes the idea of me (Barb) also preparing the order to dismiss at the same time so that it is ready to go- as it will likely be needed. I spoke with Judge K. and he gave a hearing date of Dec. 9 at 1:30 to hear the Dixie LOP. Just thought I'd let you know in case you need to be there.

BTW- Judge Fina mentioned that one of "us" needs to be there on Oct. 15 to help with "roll call" for his hearings for case management as he is also covering Jury Trial that day.

Thanks....

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

Sondra M. Lanier

From: David W. Fina
Sent: Wednesday, September 29, 2010 9:56 AM
To: Sondra M. Lanier
Subject: RE: Administrative Order and Applications

I don't think an AO is needed or required.

From: Sondra M. Lanier
Sent: Tuesday, September 28, 2010 2:58 PM
To: David W. Fina
Subject: Administrative Order and Applications

Judge Fina,

I have attached a draft of the administrative order for the foreclosure case management order. Please let me know what changes you want so that we can get this finalized. I do have 2 related questions though.

- (1) Did you look at Judge Parker's draft? Did you want any of that incorporated into the standard order?
- (2) Is an Administrative Order necessary, or can we say that you instructed us to use that form? I know that you like to be sparing with administrative orders, and it would be easier to modify the form in the future if we determine that a change is needed if we don't have to also amend an administrative order.

Have you reviewed the applications for family case manager yet? We need to get someone hired so that we can give Carrina some relief.

Sondra

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Friday, September 24, 2010 8:38 AM
To: Sondra M. Lanier
Subject: FW: Case Management Notice
Attachments: Order Scheduling Case Management Conference (revised by LGJ 9-23-10).doc; Order Setting Case Management Conference (LGJ's short version).doc

Ronna Cobble

Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

From: Leandra G. Johnson
Sent: Thursday, September 23, 2010 7:56 PM
To: Ronna M. Cobble
Cc: David W. Fina; Diane B. Hiers
Subject: FW: Case Management Notice

Attached for consideration is a very simple one-page order setting case management conference.

LGJ

From: Leandra G. Johnson
Sent: Thursday, September 23, 2010 7:37 PM
To: Ronna M. Cobble
Cc: David W. Fina; Diane B. Hiers
Subject: RE: Case Management Notice

Ronna,

I've reviewed the sample order you sent me yesterday and I've made some suggested revisions as attached and explained below. The revisions or additions are in red. I'm copying Judge Fina with this message since he should address and approve the suggested revisions.

1. I think that the date/time should be listed first, then the location, then the name of the judge presiding.
2. The notice, as initially drafted does not "order" the parties or their attorneys to appear. Therefore, I added a sentence (while revising what was there) commanding the parties and/or their counsel to appear.
3. I deleted the title of the person sending the copies on the certificate of service, as the title is irrelevant. The person sending it may add it, nevertheless.
4. Regarding the ADA Notice, has Carrina Cooper been designated as the person to contact in Court Administration regarding ADA requests? If so, I don't recall being notified of this. The last designation made was to contact Brenda Pryce. I included, for consideration, the ADA notice I use in all my notices of court proceedings. It also includes the numbers to call for hearing and voice impairment. The proposed order you sent me indicates to call "711" if impaired, and

I have no idea what that means. All of this needs to be confirmed with court administration to make sure we don't send out erroneous information.

Thank you for the work you are doing.

Leandra Johnson
Circuit Judge

From: Ronna M. Cobble
Sent: Thursday, September 23, 2010 1:01 PM
To: Leandra G. Johnson
Subject: Case Management Notice

Good afternoon, Judge Johnson. Judge Fina said that you were looking over the Case Management Notice to see if there were changes you wanted to suggest. Have you had a chance to look at it? Please let me know where that stands as I will begin Notices for Suwannee as soon as I get it. Since he wants the notice to be circuit wide for case management, I want to be sure to hold off on sending out any notices until you have had a chance to review it.
Thanks.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

Sondra M. Lanier

From: Pat Perry <pperry@columbiaclerk.com>
Sent: Tuesday, September 21, 2010 8:32 AM
To: Sondra M. Lanier
Subject: RE: CCIS Report

Sondra, sorry for the slow response, I've been out. I don't think you can isolate only the foreclosures in CCIS. I am forwarding your email to Lori Koon, who handles most of our CCIS reports. If you have the new person contact her, she will talk with her about trying to narrow it down. Her number is 719.7403. Her email is lbkoon@columbiaclerk.com.

*Patricia A. Perry
Chief Deputy
Columbia County Clerk of Courts
P. O. Box 2069
Lake City, FL 32056
386.758.1350*

From: Sondra M. Lanier [mailto:lanier.sondra@jud3.flcourts.org]
Sent: Thursday, September 16, 2010 10:06 AM
To: pperry@columbiaclerk.com
Cc: Ronna M. Cobble
Subject: CCIS Report

Pat,

We have hired Ronna Cobble as our foreclosure case manager, so you should be seeing some activity soon. She asked me if there is a way to get a report from CCIS that shows foreclosures that have had activity on them within the past 30 days. We don't have the ability to print a report like that. Do you?

Sondra

Sondra M. Lanier

From: Dana Johnson <djohnson@dixieclerk.com>
Sent: Monday, September 20, 2010 4:17 PM
To: Sondra M. Lanier
Subject: RE: Notices in Foreclosure Cases

Sondra:

That would be fantastic!! Please email the notices to me and we will get them out ASAP. I hope you are feeling much better and we are thankful for all the help you provide us.

Thanks again,

Dana Johnson
Dixie County Clerk of Court
P O Box 1206
Cross City FL 32628
(352) 498-1200
djohnson@dixieclerk.com

****This message may contain confidential and/or proprietary information, and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.****

From: Sondra M. Lanier [mailto:lanier.sondra@jud3.flcourts.org]
Sent: Monday, September 20, 2010 1:34 PM
To: djohnson@dixieclerk.com
Cc: Ronna M. Cobble
Subject: Notices in Foreclosure Cases

Hi Dana. I hope that all is well with you. Much has happened since we met, so I wanted to check with you again about the notices of intent to dismiss. We have hired Ronna Cobble as our foreclosure case manager, and she is getting everything organized and kicked off. Would you like her to format the notices, save them, and e-mail them to someone in your office so that they can print and mail them? We can handle this in whatever way will work best for you.

Sondra

Sondra M. Lanier

From: Ronna M. Cobble
Sent: Monday, September 20, 2010 10:02 AM
To: Sondra M. Lanier
Subject: Dixie files to be closed

08-118
09-25
09-90
05-276
06-76
07-03
07-16
08-148
09-45
09-46
09-171

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017

Sondra M. Lanier

From: Frederick L. Koberlein
Sent: Friday, September 17, 2010 4:09 PM
To: Ronna M. Cobble
Cc: Sondra M. Lanier
Subject: RE: Foreclosure/Notices
Attachments: notice of lack of prosecution.doc

Attached is the Notice we used in 2008. You can use it or any other form that you are comfortable with.

VTY
FLK

From: Ronna M. Cobble
Sent: Friday, September 17, 2010 1:54 PM
To: Frederick L. Koberlein
Subject: Foreclosure/Notices

As per Sondra Lanier's instructions: Attached please find two documents. The first is the notice of dismissal used in Suwannee County. The second is a draft by Debbie DeNike which addresses dismissal and case management conferences in one document. Please make any changes you would like and send it back to me. I will begin sending notices once I receive an approved notice.

Thank you.

Ronna Cobble
Foreclosure Case Manager
Administrative Office of the Courts
Third Judicial Circuit
105 North Ohio Avenue
Live Oak, FL 32064
386-362-1017