

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.

Jenn C. Lussier

From: Melanie A. Vaughn
Sent: Wednesday, November 10, 2010 1:17 PM
To: Greg S. Parker
Subject: Foreclosure CMC

I just pulled the case mgmt order and emailed it to myself then emailed it to Ronna.

*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: Greg S. Parker
Sent: Wednesday, November 10, 2010 1:03 PM
To: Melanie A. Vaughn
Subject: CMC foreclosure
Attachments: ORDER SCHEDULING CASE MANAGEMENT CONFERENCE.doc; CASE MANAGEMENT ADMINISTRATIVE ORDER RESIDENTIAL MORTGAGE FORECLOSURE.doc

IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

Plaintiffs,

vs.

CASE NO.

Defendant.

_____ /

**ORDER SCHEDULING CASE MANAGEMENT CONFERENCE
IN FORECLOSURE ACTION**

PLEASE BE ADVISED that, pursuant to Rule 1.200(a), Fla. R. Civ. Proc., the cases above listed will be called up for Case Management Conference at the _____, Florida, before the Honorable _____. The Court records reveal either that the above-styled cause is a mortgage foreclosure action and that there is concern regarding the timely progress of the case or there are other compelling reasons for case management.

HEARING DATE:

Matters to be considered at the Case Management Conference include matters that may aid in the prompt disposition of the action including, but not limited to:

1. Schedule or reschedule trial or additional case management conference;
2. Schedule or reschedule the service of motions, pleadings and other papers;
3. Coordinate and discuss the progress of the action in general.
4. Limit, schedule, order or expedite discovery;
5. Requiring filing of preliminary stipulations if issues can be narrowed;
6. Possibilities of settlement;
7. Dismissal without prejudice.
8. Status of post final judgment matters including but not limited to the conducting of a sale of the property.

Attorneys must be present in person before the Court at this hearing unless otherwise authorized by the Court. Incarcerated parties without legal counsel may contact the court at _____ no later than 48 hours prior to the hearing to arrange a telephonic appearance. Inmates will not be transported.

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

NOTE: 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, BUT ONLY UPON WRITTEN PERMISSION FROM THE COURT.

DONE AND ORDERED in _____, _____ County, Florida this ____ day of _____, 20____.

CIRCUIT JUDGE

Copies Provided to Counsel and Pro Se Parties

*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 the ADA Coordinator, _____, FL _____, phone number _____ within 2 working days of your receipt of this Order Scheduling **Case Management** conference; if you are hearing impaired, call _____*

**CASE MANAGEMENT ADMINISTRATIVE ORDER RESIDENTIAL MORTGAGE
FORECLOSURE**

THIS CAUSE came before the Court on the Court's own motion for purpose of entry of a **case management** order to govern the conduct of this case. Compliance with the provisions of this order is mandatory unless waived in writing by the court after a hearing with notice to all parties of an appropriate motion.

TIME STANDARDS

***37** Counsel for the plaintiff will be responsible for compliance with the time standards set forth below. A failure to comply with any portion of this order which is found attributable to deliberate delay on the part of any party will be grounds for dismissal or other sanctions as deemed appropriate by the court.

IF UNOPPOSED and after compliance with the Administrative Order No. _____ (which provides for **case management** of residential **foreclosure** cases and mandatory referral of mortgage **foreclosure** cases involving borrower-occupied residence to mediation), the presumptive date to complete this cause is no later than ____ days from the date that all defendants have been served as required by law and the case is at issue.

IF OPPOSED and any defendant files a good faith intent (defined herein) to participate in voluntary dispute resolution/mediation, then the presumptive date for completion of voluntary dispute resolution/mediation is ____ days from the date of the filing of the good faith compliance with an additional ____ days to complete a contested proceeding following mediation if the case is not settled.

PROCEDURE

- 1. HOME OCCUPIED BY BORROWER:** the case shall proceed as provided in Administrative Order.
- 2. HOME VACANT OR OCCUPIED BY TENANTS:** Upon a return of service indicating that the home is vacant or is being occupied by tenants, the Plaintiff shall set the cause for a motion for final summary judgment within ____ days of the cause being at issue.

RESPONSIVE PLEADINGS:

- 1. MOTION TO DISMISS:** A motion to dismiss must be set for hearing within ____ days of filing. If a defendant fails to set the cause for hearing, then the Plaintiff must do so. The hearing may not be continued or cancelled without prior consent of the Court.
- 2. ANSWER:** Upon the filing of an answer, the Plaintiff shall immediately submit an order referring the parties to mediation within ____ days.

MOTIONS TO WITHDRAW: Special appearances by defense counsel are not permitted. No motion to withdraw will be granted, absent good cause shown and a hearing held on said motion, when there is a motion filed by such attorney pending in the cause.

MOTIONS TO AMEND PLEADINGS/VOLUNTARY DISMISSAL: When Plaintiff has filed a count to reestablish a lost note and thereafter discovers that the note is in its possession, counsel for the plaintiff must immediately notify in writing all parties who have filed responsive pleadings of the discovery of the original note and file a copy of such correspondence with the court.

VOLUNTARY DISPUTE RESOLUTION: Plaintiff will engage in voluntary dispute resolution as provided in Administrative Order _____. In all other cases, parties must attend mediation prior to non-jury trial unless otherwise ordered by the court.

HEARINGS:

- 1. SCHEDULING:** Counsel for plaintiff may not schedule a hearing on a motion for summary judgment unless the motion with the supporting affidavits has been filed.
- *38 2. CERTIFICATE OF COMPLIANCE WITH FORECLOSURE PROCEDURES:** (form available on circuit website) must be filed contemporaneously with the notice of hearing.
- 3. CONTINUANCES:** Motions for continuance must be filed in writing supported by good cause. If parties jointly stipulate to a continuance, a copy of the joint stipulation accompanied by an order must be submitted to the court ____ days prior to the scheduled hearing.

FINAL JUDGMENTS: The Final Judgment or Final Summary Judgment of **Foreclosure** shall be in the model form provided and shall not include any costs not actually incurred and must be supported by sworn testimony or affidavit (if summary judgment).

SALES: The Clerk's sale shall be conducted as provided by law and may include such other method of sale employing electronic media as determined by the Clerk of Court and permitted by law.

DONE AND ORDERED this _____ day of _____, 200____, in _____, _____ County, Florida.

Jenn C. Lussier

From: Ronna M. Cobble
Sent: Wednesday, November 10, 2010 11:24 AM
To: Greg S. Parker
Subject: Foreclosures: Case Management Notice

Do you have an electronic copy of the case management notice that you wanted me to use? Also, your JA was going to check on our hearing date of Dec. 22. She wasn't able to confirm the time as she believed you were unavailable. I'll wait to hear. If you have the case management notice, I will take it asap. ☺
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

Jenn C. Lussier

From: Greg S. Parker
Sent: Tuesday, November 09, 2010 4:53 PM
To: Melanie A. Vaughn
Subject: Re: Foreclosure case management

No I have a special one for foreclosures. I emailed it to Sondra. I didn't send to you. If she can't find email log in as blimp and go to docs under proposed orders and look around.

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: Tue Nov 09 16:40:15 2010
Subject: Foreclosure case management

Ronna Cobble w/Ct Admin called. She asked about getting a sample case management notice emailed to her. Do you want me to send her a sample of our Order Setting Case Management Conference?

Also, she said when she and Sondra met with you, you had coordinated dates for the CMC as follows:

12/21 Madison (this is DV/prose day)

12/22 Hamilton (this is the day before Christmas Eve (observed) which I was keeping clear)

I just want to confirm you do want CMC on these dates.

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: Melanie A. Vaughn
Sent: Tuesday, November 09, 2010 4:40 PM
To: Greg S. Parker
Subject: Foreclosure case management

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I just want to confirm you do want CMC on these dates.

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: Mirieth Valenciano Marin <MValencianoMarin@flabar.org>
Sent: Tuesday, November 02, 2010 12:36 PM
To: Greg S. Parker
Subject: Speaking Out- The Florida Bar Speakers Bureau



This e-mail digest is dedicated to the interaction and education of volunteer speaker members of The Florida Bar Speakers Bureau. Submit items of interest to at , or mail to The Florida Bar Speakers Bureau, 651 E. Jefferson Street, Tallahassee, FL 32399-2300. Photos sent by e-mail should be in jpg and gif format.

November 2, 2010. Issue 72

Welcome New Speaker

We are pleased to announce that David Steinfeld has joined the Speakers Bureau on October. We hope he finds this volunteer experience a fulfilling one.



Speaker Requests

1-

Topic: General laws when becoming a new adult (based on The Florida Bar pamphlet *Legal Guide for New Adults*).

When: OPEN.

For Whom: Apalachicola Forest Youth Camp and Liberty Wilderness J.U.S.T.

Where: Bristol.

Time: 1:30 p.m. (flexible).

Audience: Juvenile offenders at DCF and DJJ facilities.

2-

Topic: Mental Health Parity Act.

When: Dec. 13.

For Whom: Big Bend Mental Health Coalition.

Where: Tallahassee.

Time: 10:30 a.m.

Audience: Healthcare professionals and consumers.

3-

Topic: Escrow and Trust Account.

When: Jan. 13.

For Whom: Gulf Coast Paralegal Association.

Where: Fort Myers.
Time: 6:15 p.m.
Audience: Paralegals in Lee and Collier County.

4-

Topic: Advanced Directives.
When: Jan. 19.
For Whom: Villa San Carlos-Low Income Senior Housing.
Where: Port Charlotte.
Time: 12 p.m.
Audience: Low Income Seniors.

If you are able to take one of these engagements or if you know someone that will be willing to take them, please e-mail mvalencianomarin@flabar.org, or call Mirieth Valenciano at (850) 561-5773. First qualified speaker who answers this request will be booked for the activity. Thank you.

The **Florida Bar consumer pamphlets** are available for distribution during the speaking engagements. To see the complete list of pamphlets available, go to www.floridabar.org/consumerpamphlets. If you would like to take some consumer pamphlets to your presentation, please contact Mirieth Valenciano at mvalencianomarin@flabar.org. The pamphlets must be related to the topic of the activity.



Speakers

For helping to educate the public on legal issues during September, The Florida Bar Speakers Bureau thanks:

- **D Chesser** from Shalimar. He talked about court testimony to COPE Center Inc.
- **Robert Grode** from Winter Haven. He talked about the Second Amendment to the Republican Club of East Polk County.
- **Wesley Heidt** from Daytona Beach. He talked about criminal justice to the Florida Trial Court Staff Attorney Association.
- **Elizabeth Neiberger** from Tallahassee for her presentation about expert witness selection to the Big Bend Chapter of Paralegal Association, Inc.
- **Michael Pyle** from Daytona Beach. He talked about living wills to the Veterans and Businessmen's Club.
- **Eugene Shuey** from Gainesville for his presentation about ethics and professionalism to the Florida Trial Court Staff Attorney Association.
- **Larri Thatcher** from Orlando. She talked about consumer rights to the Pine Castle Women's Club.

Would you like your photograph featured here? Please send a copy to Mirieth Valenciano at mvalencianomarin@flabar.org

Speaking Tips

Using Conversation In Your Presentation

by Stephen Boyd from www.speaking-tips.com

A little boy went to his mother with a question. Since the mother was busy on the computer, she replied, "Why don't you go ask your dad?" The boy's response: "I don't really care to know that much about it." Although this is a joke, my guess is that the conversation is based on an actual dialogue between mother and child.

When involved in public speaking, you usually think about getting content from your expertise and experiences. Perhaps you Google your topic to see what new information you can find. However, to add the human touch to any presentation, consider including conversation. For example, while eating in a train dining car recently on a cross-country trip to Seattle, I asked the server how long he had worked on the train. His answer was, "25 years. It was a summer job run amok." Since I often speak about having a sense of humor about ourselves, this was an example that fit the point well.

With this objective of looking for real conversation for your next keynote presentation, have paper and pen always available to record key sentences. For example, I knew the word "amok" was a key to the above conversation, so I wrote it down as soon as we got back to our train compartment.

Listen to other people's conversation. Write down clever sentences of people you talk to. People will be flattered if you say, "Do you mind if I take a moment to jot that down? That was so clever!" You might find just the right place for it in your next speech. Effective presentation skills come from a variety of sources as well as presentation skills delivery. Telling about a conversation you were involved with or overheard will also help you to deal with stage fright since it is a story that's comfortable for you to tell.

Conversation can come from memories as a child. For example, when my wife was a child, her favorite conversation memory was about her grandparents' neighbors, Nate and Minnie Green. Evidently Miss Minnie was pretty demanding of her husband and was very hard to get along with. Finally she became very ill. One night she was in such misery that she said, "Nate, just get the gun and shoot me." He answered, "Minnie, there ain't a shell on the place."

Be willing to ask open questions of others to seek these conversation pearls. Art Linkletter made a great career of asking such questions of children on television and those conversations were the heart and soul of the show.

Be approachable when in public. Some of your best conversations for after-dinner speeches come from complete strangers as did my train example. Getting involved with people one-on-one will also enhance your comfort level and help you overcome your fear of public speaking.

Add variety to your next speech by including conversation. This technique gives the audience time to assimilate key information that may precede or follow the dialogue, thus increasing the impact of your presentation.

Conversation is not just an important part of interpersonal skills; conversation can become an integral part of your presentation.

The Florida Bar

The Florida Bar News

The Nov. 1 edition of the *News* is available with stories including:

- Florida's foreclosure backlog topping 500,000.
- Justice Teaching is now active in private schools.
- Court-ordered retooling of the lawyers advertising rules are underway.

Free CLE on Redacting Confidential Information

A two-hour CLE on **judicial administration Rule 2.420** is now available free of charge from the [24/7 Online CLE link on the Bar CLE page](#).

Merit Retention

The Florida Bar [polled its members](#) about whether the Supreme Court justices and appeals court judges who will be on the November General Election ballot should be retained. The [poll results, biographies of the judges and frequently asked questions about merit retention](#) are now available.

Judicial Candidates

Voters have a new means of learning about judicial candidates - [The Florida Bar Judicial Candidate Voluntary Self-Disclosure Statement](#). It includes background information and a personal statement from candidates explaining why they believe they would serve the public well as judges.

Special Appointments

The Board of Governors is seeking lawyer applicants to fill vacancies on the Florida Rural Legal Services Board of Directors and the Florida Realtor-Attorney Joint Committee. Completed [applications](#) are due **Nov. 5**.

Biannual Rules Filing

On Oct. 15, The Florida Bar submitted two filings regarding The Rules Regulating The Florida Bar with the Florida Supreme Court. Copies may be found on the [Rules update page](#).

Pro Bono Nominations

Each year, the Florida Supreme Court and The Florida Bar give special recognition to lawyers, groups and a member of the judiciary who have given their time and expertise by providing legal services to the poor. The **2011 Pro Bono Service Awards nominations are due by Nov. 3**. The awards ceremony will be held at the Florida Supreme Court on Jan. 27, 2011.



The American Bar Association News

- » Save the date - The [2011 ABA Midyear Meeting](#) will be held Feb. 9-15, 2011, in Atlanta.
- » [Effort to Promote Hispanic Participation in Law](#)
- » [If You Have a Blog and Allow Comments, Register for DCMA Protections, Sites Warn](#)

Quote of Note

"I don't know the key to success, but the key to failure is trying to please everybody."

~ Bill Cosby

###

Speakers Bureau Liaison
The Florida Bar,
651 E. Jefferson Street,
Tallahassee FL 32399-2300
1-800-342-8060, extension
850/561-5733 (fax)
Mailto:

Jenn C. Lussier

From: Kristine Slayden <slaydenk@flcourts.org>
Sent: Monday, November 01, 2010 2:47 PM
To: Trial Court Budget Commission
Cc: Lisa Goodner; Blan Teagle; Laura Rush; Charlotte Jerrett; Dorothy Wilson; Arlene Johnson; P.J. Stockdale; Greg Youchock
Subject: Foreclosure and Economic Recovery Status Report - First Quarter of Fiscal Year 2010-11
Attachments: First Quarter of FY 2010-11 Status Report_v2.pdf

Trial Court Budget Commission members: Attached is the revised Foreclosure and Economic Recovery Status Report – First Quarter of Fiscal Year 2010-11. This report will be sent to the Chief Judges so that they can monitor their progress. Please let me know if you have any questions. Kris

Kris Slayden
Research and Data
Office of the State Courts Administrator
Florida Supreme Court
500 S. Duval Street
Tallahassee, Florida 32399
850-922-5106 (wk)
850-556-2335 (cell)
850-414-1342 (fax)

**Foreclosure and Economic Recovery
Real Property/Mortgage Foreclosure Backlog
Status Report - First Quarter of Fiscal Year 2010-11**

Circuit	Real Property/ Mortgage Foreclosure Backlog as of June 30, 2010¹	First Quarter of FY 2010-11 Initiative Dispositions²	Balance of Backlog After First Quarter of FY 2010-11³
1	10,979	717	10,262
2	3,460	183	3,277
3	1,115	120	995
4	17,916	2,948	14,968
5	16,281	840	15,441
6	31,791	2,730	29,061
7	18,440	3,837	14,603
8	1,926	522	1,404
9	39,700	6,048	33,652
10	11,045	3,004	8,041
11	75,326	4,920	70,406
12	21,617	1,878	19,739
13	32,843	4,364	28,479
14	3,897	823	3,074
15	46,438	9,846	36,592
16	2,259	133	2,126
17	48,675	9,585	39,090
18	27,117	2,768	24,349
19	19,061	951	18,110
20	32,453	9,613	22,840
Total	462,339	65,830	396,509

¹ Real Property/Mortgage Foreclosure Backlog as of June 30, 2010 was determined by subtracting the number of SRS dispositions from the number of SRS filings for July 1, 2006 through June 30, 2010.

² First Quarter of FY 2010-11 Initiative Dispositions are based on data that is provided to the OSCA on a monthly basis by each trial court. These data are the reported information on cases disposed from July 1, 2010 through September 30, 2010 using the new resources. In addition, Desoto County and Okeechobee County did not receive Foreclosure and Economic Recovery funding and are not included above; Circuit 4 has not submitted data during the initiative (The data provided above for Circuit 4 represents the number of SRS dispositions for July 2010 through September 2010.); July 2010 data is incomplete for Pinellas County; and September 2010 data is incomplete for Orange County, Circuit 18 and Circuit 19.

³ Balance of Backlog After First Quarter of Fiscal Year 2010-11 was determined by subtracting the number of First Quarter of FY 2010-11 Initiative Dispositions from the number of Real Property/Mortgage Foreclosure Backlog as of June 30, 2010.

Note: First Quarter of Fiscal Year 2010-11 includes data from July 1, 2010 to September 30, 2010.

Jenn C. Lussier

From: David W. Fina
Sent: Thursday, October 28, 2010 2:24 PM
To: 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: Foreclosure Initiative
Attachments: 10.27.10.laurent.memo.docx

FYI

David W. Fina
Circuit Court Judge
Third Judicial Circuit

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

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



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

Belyin, 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

Jenn C. Lussier

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

Jenn C. Lussier

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 (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 (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

RESIDENTIAL FORECLOSURE BENCH BOOK

Prepared by

Honorable Jennifer D. Bailey
Administrative Judge
Circuit Civil Jurisdiction Division
Eleventh Judicial Circuit of Florida

and

Doris Bermudez-Goodrich
Assistant General Counsel
Eleventh Judicial Circuit of Florida

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: Darren K. Jackson
Sent: Wednesday, October 13, 2010 1:50 PM
To: Greg S. Parker

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: Greg S. Parker
Sent: Monday, September 27, 2010 4:52 PM
To: Sondra M. Lanier
Cc: David W. Fina
Subject: Foreclosure Case Mgt Order
Attachments: ORDER SCHEDULING CASE MANAGEMENT CONFERENCE.doc

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.

IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

Plaintiffs,

vs.

CASE NO.

Defendant.

_____ /

**ORDER SCHEDULING CASE MANAGEMENT CONFERENCE
IN FORECLOSURE ACTION**

PLEASE BE ADVISED that, pursuant to Rule 1.200(a), Fla. R. Civ. Proc., the cases above listed will be called up for Case Management Conference at the _____, Florida, before the Honorable _____. The Court records reveal either that the above-styled cause is a mortgage foreclosure action and that there is concern regarding the timely progress of the case or there are other compelling reasons for case management.

HEARING DATE:

Matters to be considered at the Case Management Conference include matters that may aid in the prompt disposition of the action including, but not limited to:

1. Schedule or reschedule trial or additional case management conference;
2. Schedule or reschedule the service of motions, pleadings and other papers;
3. Coordinate and discuss the progress of the action in general.
4. Limit, schedule, order or expedite discovery;
5. Requiring filing of preliminary stipulations if issues can be narrowed;
6. Possibilities of settlement;
7. Dismissal without prejudice.
8. Status of post final judgment matters including but not limited to the conducting of a sale of the property.

Attorneys must be present in person before the Court at this hearing unless otherwise authorized by the Court. Incarcerated parties without legal counsel may contact the court at _____ no later than 48 hours prior to the hearing to arrange a telephonic appearance. Inmates will not be transported.

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

NOTE: 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, BUT ONLY UPON WRITTEN PERMISSION FROM THE COURT.

DONE AND ORDERED in _____, _____ County, Florida this ____ day of _____, 20____.

CIRCUIT JUDGE

Copies Provided to Counsel and Pro Se Parties

*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 the ADA Coordinator, _____, FL _____, phone number _____ within 2 working days of your receipt of this Order Scheduling **Case Management** conference; if you are hearing impaired, call _____*

Jenn C. Lussier

From: Greg S. Parker
Sent: Monday, September 27, 2010 9:32 AM
To: Melanie A. Vaughn
Subject: Mtg foreclosure order
Attachments: Order after show cause.RMF.doc

Attached is a form I would like to use when we hold hearings on orders to show cause why lenders have not complied with the Admin Order dealing with residential mortgage foreclosures. Whenever I have one of these hearings I would like to have one of these ready to fill out. See me if this is not making sense.

[Certificate of Service]

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT IN AND FOR
_____ COUNTY, FLORIDA

Case No(s):

Plaintiff(s),

vs.

Defendant(s).

ORDER AFTER SHOW CAUSE HEARING

*25 (Plaintiff's Failure to Comply with Administrative Order [number])

The court having determined that Plaintiff has failed to comply with the requirements of Administrative Order [number], it is ORDERED and ADJUDGED (as marked):

Form A

____ Within 10 days from the date of this order, Plaintiff shall file and electronically submit Form A to the Program Manager using the approved web-based information platform.

Payment of RMFM Program Fees

____ Within 10 days from the date of this order, Plaintiff shall pay \$_____ of the RMFM Program fees to the Program Manager.

Electronic Transmittal of Case Number and Borrower Contact Information

____ Within 10 days from the date of this order, Plaintiff shall electronically submit the case number and contact information to the borrower to the Program Manager using the approved web-based information platform.

Failure to File and Serve Certification Regarding Settlement Authority

____ Within 10 days after the date of this order, Plaintiff shall file and serve the certification regarding the person or entity with full settlement authority where the residence is not homestead (Form Exhibit 9 attached to the Administrative Order).

Attendance at Mediation

____ Plaintiff's counsel shall attend the next scheduled mediation in this case.

____ (Name), as plaintiff's representative designated in the most recent Form A filed in the court file, shall physically attend the next scheduled mediation in this case.

____ (Name), as plaintiff's agent with full authority to sign a settlement agreement shall attend the next scheduled mediation in this case.

Dismissal

____ This case is dismissed without prejudice.

Additional Sanctions

____ The court determines _____ is entitled to an award of attorney's fees and cost, the amount of which shall be determined at a subsequent hearing.

Signed on [date]

[signature block for judge]

Jenn C. Lussier

From: rfelsher@defaultlawfl.com
Sent: Thursday, September 23, 2010 4:38 PM
To: Greg S. Parker
Subject: RE: In re. Hamilton Case No. 2009-165-CA; Chase v. Medina

Dear Judge Parker:

I am in agreement with Mr. Baker as evidenced by our own Motion to Cancel Sale - which was already in the mail at the time your honor issued the order and I appologize for the inconvenience. I regret that this caused confusion for the clerk and would have clarified, but Ms. Morgan's message did not reach my desk. If you honor would be so kind as to set aside the sale, that would be great. Thank you.

Sincerely,

Ross S. Felsher, Esq.
Foreclosure Attorney
Florida Default Law Group, PL
9119 Corporate Lake Drive, Suite 300
Tampa, Florida 33634
813-342-2200 Ext 3873
813-251-1541 Fax
rfelsher@defaultlawfl.com

Please be advised that this law firm may be acting as a debt collector and is attempting to collect a debt and any information provided will be used for that purpose.

CONFIDENTIALITY NOTICE - This e-mail transmission, and any documents, files or previous e-mail messages attached to it may contain information that is confidential or legally privileged. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are hereby notified that you must not read or play this transmission and that any disclosure, copying, printing, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. If you have received this transmission in error, please immediately notify the sender by telephone or return e-mail and delete the original transmission and its attachments without reading or saving in any manner.

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

From: Greg S. Parker [mailto:parker.greg@jud3.flcourts.org]
Sent: Thursday, September 23, 2010 4:27 PM
To: websterbaker@gmail.com
Cc: Melanie A. Vaughn; Ross Felsher
Subject: Re: In re. Hamilton Case No. 2009-165-CA; Chase v. Medina

I have not yet reviewed your order but clearly the sale should be set aside. I will address this and enter an order tomorrow. If Mr. Felsher has any opposition to setting aside please respond immediately.

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: Webster Baker <websterbaker@gmail.com>
To: Greg S. Parker
Cc: Melanie A. Vaughn; rfelsher@defaultlawfl.com <rfelsher@defaultlawfl.com>
Sent: Thu Sep 23 16:09:47 2010
Subject: In re. Hamilton Case No. 2009-165-CA; Chase v. Medina

Dear Judge Parker:

I am writing in regard to the above described matter. I received notice today that the clerk's sale scheduled for September 21, 2010 which was stayed by your Order at the day of hearing on September 16, 2010, that sale went forward and the Median property was transferred to the Plaintiff as the highest bidder.

Disturbed by this information, I drove to Hamilton County to investigate what could have possibly happened. I spoke with Deputy Clerk Kristy Morgan who conducted the sale. She informed me that she did see the Order dated Septebemer 16th and so docketed, however, Plaintiff's counsel submitted a follow-up "Motion to Cancel Sale" dated September 17th. As this was dated and docketed after the hearing she explained that she was confused on the day of sale. Vic Africano's son (Chris I believe she told me) was contracted by the Plaintiff to appear on Plaintiff's behalf for bidding at the day of sale. One of his associates (Quinn) did so appear.

At the time of sale Ms. Morgan raised concerns regarding the continuation of the sale, however, Mr. Africano's office had not received any notice to the contrary. Ms. Morgan attempted to contact Plaintiff's counsel prior to conducting the sale, however, she was unable to speak with anyone and left message for return call. No return call was forthcoming and the sale went forward. Ms. Morgan explained to me that she was confused by the follow-up "Motion to Cancel Sale" having been docketed after your Order of September 16th. Ms. Morgan advised me that she will be in the clerk's office tomorrow when you arive in Hamilton to conduct other matters, such that if you so desire to speak with her regarding the matter and obtain further information she will be available.

My client has already tendered the funds in furtherance of mediation and I believe that it was your intent as declared in the Order that this cause go forward with attempts to mitigate the loss for the Plaintiff and hopefully Mr. Medina may save his homestead. We are thankful that you so Ordered mediation as circumstances such as this often arise and result in further intervention of the court, such that without further mediation we may have found necessary.

To facilitate the intent of your September 16th Order and in furtherance of the mediation, and to facilitate the timely forward progression of this cause, I have attached a proposed Order Vacating Foreclosure Sale and Certificate of Title. I believe that you are well within your jurisdiction as Circuit Judge to vacate the sale, sua sponte, and without further necessity of a motion on my part. If the Court so desires, however, I will gladly submit such Motion and set same for hearing to allow opposing counsel opportunity to be heard on the matter. Please advise me if the Court so desires.

Thank you for time and attention to this matter. I have forwarded a copy of this email with attachments to opposing counsel as indicated below. If the Court needs further edits or amendments upon the attached Order, I will be happy to accomodate those changes as desired.

Sincerely,

Webster B. Baker

Cc: Ross S. Felsler, Esq.
rfelsler@defaultlawfl.com
Florida Default Law Group
Attorney for Plaintiff

--
NOTICE: This electronic mail (e-mail) and any attachment to this e-mail message contains confidential information that may be legally privileged. This message is intended solely for the recipient to whom it is addressed. If you are not the intended recipient, you must not review, retransmit, convert to hard copy, copy, print, use or disseminate this e-mail or any attachments associated with it. If you have received the e-mail in error, please notify us immediately by return e-mail at websterbaker@gmail.com or calling 386-219-0045.

Jenn C. Lussier

From: Greg S. Parker
Sent: Thursday, September 23, 2010 4:27 PM
To: 'websterbaker@gmail.com'
Cc: Melanie A. Vaughn; 'rfelsher@defaultlawfl.com'
Subject: Re: In re. Hamilton Case No. 2009-165-CA; Chase v. Medina

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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 -----

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Sincerely,

Webster B. Baker

Cc: Ross S. Felsher, Esq.
rfelsher@defaultlawfl.com
Florida Default Law Group
Attorney for Plaintiff

--

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Jenn C. Lussier

From: Webster Baker <websterbaker@gmail.com>
Sent: Thursday, September 23, 2010 4:10 PM
To: Greg S. Parker
Cc: Melanie A. Vaughn; rfelsher@defaultlawfl.com
Subject: In re. Hamilton Case No. 2009-165-CA; Chase v. Medina
Attachments: Order Vacating Foreclosure Sale.pdf

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Thank you for time and attention to this matter. I have forwarded a copy of this email with attachments to opposing counsel as indicated below. If the Court needs further edits or amendments upon the attached Order, I will be happy to accomodate those changes as desired.

Sincerely,

Webster B. Baker

Cc: Ross S. Felsher, Esq.
rfelsher@defaultlawfl.com
Florida Default Law Group
Attorney for Plaintiff

--

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

CHASE HOME FINANCE, LLC,

CASE NO.: 2009-165-CA

Plaintiff,

vs.

HERIBERTO MEDINA, et al,

Defendant.

ORDER TO VACATE FORECLOSURE SALE AND CERTIFICATE OF TITLE

THIS CAUSE having come before the Court on the matter of foreclosure sale of the subject property in the above styled cause, and the Court having previously Ordered on September 16, 2010 that all disposition of the subject property shall be held in abeyance pending the parties participation in the Residential Mortgage Foreclosure Mediation (RMFM) Program of the Third Judicial Circuit, and the Court having considered its prior ruling and being otherwise fully advised of circumstances thereto, it is

ORDERED AND ADJUDGED that the sale held on September 21, 2010 is hereby Vacated and the Certificate of Title issued pursuant to sale is hereby Vacated.

DONE AND ORDERED in Chambers in Jasper, Hamilton County, Florida this _____ day of September 2010.

GREG S. PARKER
Circuit Court Judge

Copies to: Webster B. Baker, attorney for Defendant, P.O. Box 6106, Live Oak, FL 32064
Ross S. Felsher, Florida Default Law Group, attorney for Plaintiff, P.O. Box 25015, Tampa FL 33622

Jenn C. Lussier

From: Greg S. Parker
Sent: Friday, September 17, 2010 1:42 PM
To: Sondra M. Lanier
Subject: Re: Foreclosure Case Management

Set up a meeting. Blues. Dec 10 and 11

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: Ronna M. Cobble
Sent: Fri Sep 17 11:38:22 2010
Subject: Foreclosure Case Management

Judge Parker,

We have hired Ronna Cobble as our Foreclosure Case Manager, and she is ready to get started sending some notices and getting some cases moving. Have you had a chance to look back at the things we discussed at lunch in Jasper? Would you like for Ronna and me to meet with you as a follow-up to finalize the direction you want her to take on your cases?

Andâ€¦. When is the Blues and Barbecue Festival again?

Sondra

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Friday, September 17, 2010 11:38 AM
To: Greg S. Parker
Cc: Ronna M. Cobble
Subject: Foreclosure Case Management

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And.... When is the Blues and Barbecue Festival again?

Sondra

Jenn C. Lussier

From: Greg S. Parker
Sent: Thursday, September 16, 2010 4:08 PM
To: 'DickinsonW@nfcc.edu'; 'brian.kowal@marshallwatson.com'
Subject: Re: Case No. 2008-475-CA (Madison Co) Household Finance Corp vs Chandler Webb

Dear Ms. Dickinson:

Thank you for the copy of your correspondence with Mr. Kowal, however, the presiding judge is not normally copied with communications between parties regarding ongoing negotiations or the logistics of obtaining information unless they are attached as exhibits to formally filed pleadings or other requests to the court.

Certainly these communications may become relevant to the decision making of the Court at a later date and at that time should be offered as evidence at a hearing.

Given the thousands of cases on the court's docket I hope you understand my request to limit the information copied to the court.

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: Dickinson, Wendy <DickinsonW@nfcc.edu>
To: brian.kowal@marshallwatson.com <brian.kowal@marshallwatson.com>
Cc: Greg S. Parker
Sent: Thu Sep 16 13:54:09 2010
Subject: Case No. 2008-475-CA (Madison Co) Household Finance Corp vs Chandler Webb

Mr. Knowal,

Thank you for the recent package containing the copies of "Notice of Status" that I received in the mail this week. A big thanks for including a copy of Cary Hardee's letter to your office along with the "Letters of Curatorship" signed by Judge David Fina on September 12, 2008 both of which I was unaware of before this week.

For your records, I have attached a copy of the "Amended Order Determining Homestead" filed in Madison County on December 5, 2008.

Due to the lack of communication between Mr. Hardee and myself I am uncertain what is being referred to in his letter when asking the question "Would your client accept a deed in lieu of foreclosure of subject property?" Also, in replying to a few questions from myself, Mr. Hardee stated via email in February 2010: "I have tried to find out about the credit

life but I have received no response whatsoever which is quite unusual." Could you please advise me of any contact between your office and Mr. Hardee other than the letter sent by your office.

Unfortunately, these documents received today do not answer any of the questions concerning any possible Credit Life Insurance. Also, I am still eagerly waiting to hear from Household Finance Corp. If I need to contact them, please forward me their contact information and I will be glad to do so.

Thanks again for your help,

Wendy Dickinson

188 SW Bartow Trail

Madison, FL 32340

home 850-973-6879

cell 850-673-1997

email: dickinsonw@nfcc.edu

Jenn C. Lussier

From: Dickinson, Wendy <DickinsonW@nfcc.edu>
Sent: Thursday, September 16, 2010 1:54 PM
To: brian.kowal@marshallwatson.com
Cc: Greg S. Parker
Subject: Case No. 2008-475-CA (Madison Co) Household Finance Corp vs Chandler Webb
Attachments: Amended Order Determining Homestead.pdf

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Thanks again for your help,

Wendy Dickinson
188 SW Bartow Trail
Madison, FL 32340
home 850-973-6879
cell 850-673-1997
email: dickinsonw@nfcc.edu

IN THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT,
IN AND FOR MADISON COUNTY, FLORIDA,
PROBATE DIVISION

Case No. 2008-41-CP

IN RE: ESTATE OF:

JOSEPH DREW WEBB, II,
Deceased.

CLERK
Peggy Newman

**AMENDED ORDER DETERMINING HOMESTEAD
STATUS OF REAL PROPERTY**

THIS CAUSE came before the Court on November 4, 2008, on the petition for determination of homestead filed by CARY A. HARDEE, II, as Curator of the Estate of JOSEPH DREW WEBB, II, deceased. Upon consideration of the pleadings and the evidence in this cause, the Court finds the following:

FINDINGS OF FACT:

1. All necessary and interested parties have been served proper notice of the petition and hearing, and have waived notice thereof, or have consented in advance to the Court's determination, or have failed to file a responsive pleading to the petition within the time provided.
2. The decedent died intestate on March 17, 2008 and was domiciled in Madison County, Florida.
3. The decedent was survived by a minor child, JOSEPH DREW WEBB, III. Wendy Webb Dickinson was appointed as Guardian of the Property of the minor child by Letters of Guardianship dated April 24, 2008, recorded April 25, 2008 in Official Record Book 905, Page 151 of the public records of Madison County, Florida.
4. The decedent was survived by Chandler Newsome Webb as his surviving spouse. Pursuant to the provisions of Article X, Section 4 of the Constitution of the State of Florida and the prevailing statute of the State of Florida at the time of the decedent's death, his surviving spouse

Jenn C. Lussier

From: David W. Fina
Sent: Friday, September 10, 2010 1:29 PM
To: Greg S. Parker
Subject: FW: Notes from August Judges' Meeting

Info on electronic signatures as promised.

From: Sondra M. Lanier
Sent: Friday, September 10, 2010 11:42 AM
To: David W. Fina
Subject: FW: Notes from August Judges' Meeting

This included the information about electronic signatures.

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 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

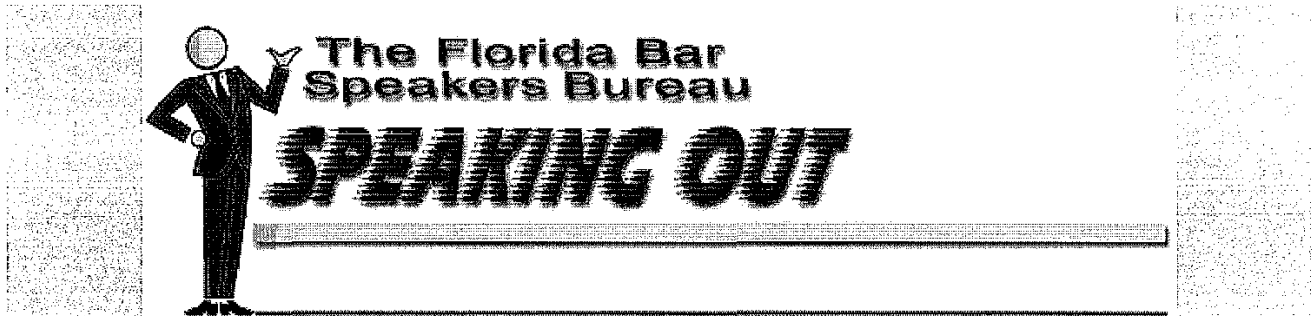
Friday, December 17 – Christmas luncheon for judges and Court Staff – Details to be announced soon.

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

Sondra

Jenn C. Lussier

From: Mirieth Valenciano Marin <MValencianoMarin@flabar.org>
Sent: Wednesday, September 01, 2010 5:07 PM
To: Greg S. Parker
Subject: The Florida Bar Speaking Out



This e-mail digest is dedicated to the interaction and education of volunteer speaker members of The Florida Bar Speakers Bureau. Submit items of interest to at , or mail to The Florida Bar Speakers Bureau, 651 E. Jefferson Street, Tallahassee, FL 32399-2300. Photos sent by e-mail should be in jpg and gif format.

September 1, 2010. Issue 70

Volunteer Opportunity

Benchmarks Program

A new initiative of The Florida Bar and its Judicial Independence Committee, "**Benchmarks: Raising the Bar on Civics Education,**" is designed to give attorneys activities they can use to teach the fundamentals of government and the courts to adult civic and community groups.

This is a critical mission and an important one for The Florida Bar and its members. An informed public is the best defense of a vigorous democracy, the rule of law and an independent, impartial and fair judiciary. Benchmarks aims to inform adults through engaging activities about judicial review; the Bill of Rights and reviewing laws to see if they are constitutional; facts and knowledge about U.S. government and the courts; court funding; and judicial labeling.

The program has five activities that attorneys can use when they speak to community groups. Each activity has an overview and supporting materials. While attorneys are free to contact civic groups about making presentations, they are also encouraged to sign up with [The Florida Bar's Speakers Bureau](#) to receive speaking engagements.

CLE approval is pending so that for each presentation, a member shall receive 1 ethics credit hour with no more than 3 credit hours for Benchmarks activities during a member's 3-year CLER reporting cycle. For additional information, please contact, Zannah Lyle at (850) 561-5669 or by e-mail at slyle@flabar.org



Speaker Requests

1-

Topic: Child Support.

When: Sept. 8.

For Whom: Transition Inc.

Where: Miami.

Time: 2 p.m.

Audience: Ex-offenders.

2-

Topic: Wills, Trusts and Estate Planning.
When: Oct. 7.
For Whom: Carrfour Supporting Housing.
Where: Miami.
Time: 10 a.m.
Audience: Seniors.
Details: Bilingual speaker needed.

3-

Topic: Death Penalty (in favor of the death penalty).
When: Nov. 16.
For Whom: United Church of Christ at the Villages.
Where: Oxford (Sumter County).
Time: 7 p.m.
Audience: Mostly seniors.
Details: This is for a forum planned with a panel format to present both sides of the issue, for and against the death penalty and also perhaps someone from the judiciary to explain what defines a case that could result in the death penalty and how one would reach such a sentence. Is it the jury or the judge that decides?. The church pastor will also be a member of the panel and will present the position of the United Church of Christ on this issue.

4-

Topic: Identity Theft.
When: April 13, 2011.
For Whom: Pine Castle Women's Club.
Where: Orlando.
Time: 10 a.m.
Length: 20-30 minutes.

If you are able to take one of these engagements or if you know someone that will be willing to take them, please e-mail mvalencianomarin@flabar.org, or call Mirleth Valenciano at (850) 561-5773. First qualified speaker who answers this request will be booked for the activity. Thank you.



Speakers

For helping to educate the public on legal issues during August, The Florida Bar Speakers Bureau thanks:

- **Forrest Andrews** from Miami. He talked about expungement to the Carrfour Supportive Housing.
- **Lance McKinney** from Fort Myers. He talked about wills, trusts and estate planning to the Kiwanis Club of Lehigh Acres.
- **Robert Barrar** from Miami, for talking about expungement to the Carrfour Supportive Housing.
- **Usher Brown** from Orlando for his presentation about election laws to Republican Club of East Polk County.

Speaking Tips

Pay Attention To The Words

by Stephen Boyd at www.speaking-tips.com

One of the most famous lines in U. S. history was delivered by Franklin Roosevelt in his Declaration of War speech the day after Japan attacked Pearl Harbor on December 7, 1941. He began the speech with, "This is a date that will live in infamy." The line originally read, "a day which will live in world history." Roosevelt crossed out "world history" and replaced it with "infamy." The changed word made all the difference in making it memorable.

Don't use words carelessly. I admire the wordsmith who can find just the right word to express an idea. Last summer on an Empire Builder rail vacation across country, I asked the server how long he had been a waiter on the train and his response was, "25 years—a summer job run amuck." What a great word—"amuck."

When someone asked a sales person why an item was so expensive, the woman replied, "Let me explain the value of this product to you." Rita Rudner, tongue in cheek, said, "The word aerobics came about when the gym teachers got together and said, 'If we're going to charge \$10 [probably \$35 today] an hour, we can't call it "jumping up and down."'"

Pay attention to the words you speak. Think about words before you speak them. Is there a better way of saying this? Listen to words others use that explain an idea better than you could have. Are these words I can use in my speaking and writing vocabulary? Subscribe to Merriam-Webster's online "Word of the Day." One word recently was "spurious," a word I had not often heard, but a clever way to say an action is not genuine. Even if you find the word that day is not of value to you, this discipline will remind you to focus on the words you use.

Four years ago a movie was made that lasted only briefly in major theatres. But the title may have been one of the best titles for a movie because in four words you got the essence of the entire movie: "Snakes on a Plane." Of course that title told me that this was a movie I did not want to see! As Mark Twain said, "The difference between the right word and the almost right word is the difference between lightning and the lightning bug."

The Florida Bar

2010 Florida Bar Midyear Meeting

Join your section or committee **Sept. 22-25** at the Hilton Orlando. **[Visit our Meetings page for details.](#)** **Hotel reservation group rate is available until today.**

The Florida Bar News:

The Sept. 1 edition of the *News* is now online with stories including:

- Tallahassee lawyer Daryl Parks becomes president-elect of the NBA.
- Chief judges using one-time allocations to move foreclosure cases.

- Come October, lawyers will be responsible for redacting confidential information in court filings.

Coming Soon: Free CLE on Redacting Confidential Information

A free CLE course for Florida Bar members on their responsibility to redact confidential information in court filings will soon be available from the [24/7 Online CLE link on the Bar CLE page](#). The course is presented by The Florida Bar Law Office Management Assistance Service and sponsored by Florida Lawyers Mutual Insurance Co. and the General Practice, Solo and Small Firm Section.

Judicial Vacancies:

- **3rd District Court of Appeal**, applications due **Sept. 3.**
- **9th Circuit**, applications due **Sept. 3.**
- **13th Circuit/Hillsborough County Court** applications due **Sept. 20.**
- **11th Circuit/Miami-Dade County Court**, applications due **Sept. 27.**



The American Bar Association News

- [Four Initiatives Will Highlight 2010-11 Bar Year](#)
- [Stephen N. Zack Receives Presidential Gavel](#)
- [Flight From Cuba Influenced ABA President](#)
- [ABA Members Briefed on Legislative Advocacy](#)
- [Olson, Boies to Lead Justice System Task Force](#)
- [Lawyers Urged to Advance Civics Education](#)

Quote of Note

"Before speaking, consider the interpretation of your words as well as their intent."
~Andrew Alden

###

Speakers Bureau Liaison
The Florida Bar,
651 E. Jefferson Street,
Tallahassee FL 32399-2300
1-800-342-8060, extension
850/561-5733 (fax)
Mailto:

Jenn C. Lussier

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

Sondra

Jenn C. Lussier

From: Greg S. Parker
Sent: Wednesday, July 21, 2010 9:14 AM
To: Melanie A. Vaughn
Subject: Re: Branch Bank v. Jacques-Parent

Ok
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: Wed Jul 21 09:12:00 2010
Subject: Branch Bank v. Jacques-Parent

Branch Banking v. Edwige Jacques-Parent

#09-573-CA (Madison)

Recâ€™d a Motion and proposed Order cancelling and rescheduling foreclosure sale set for July 22, 2010. I will sig stamp the order unless you have an objection.

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: Melanie A. Vaughn
Sent: Wednesday, July 21, 2010 9:12 AM
To: Greg S. Parker
Subject: Branch Bank v. Jacques-Parent

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vaughn.melanie@jud3.flcourts.org

Jenn C. Lussier

From: Greg S. Parker
Sent: Tuesday, July 20, 2010 4:46 PM
To: Melanie A. Vaughn
Subject: Re: 21st Century v. Anderson

Yes
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: Tue Jul 20 16:44:37 2010
Subject: 21st Century v. Anderson

21st Century v. Anderson

10-143-CA (Madison)

Tim Padgett, atty for Plaintiff, faxed us a Motion to Cancel Foreclosure Sale and proposed order. The sale is scheduled for tomorrow at 11:00. Can I sig stamp the order?

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: Melanie A. Vaughn
Sent: Tuesday, July 20, 2010 4:45 PM
To: Greg S. Parker
Subject: 21st Century v. Anderson

21st Century v. Anderson
10-143-CA (Madison)

Tim Padgett, atty for Plaintiff, faxed us a Motion to Cancel Foreclosure Sale and proposed order. The sale is scheduled for tomorrow at 11:00. Can I sig stamp the order?

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: 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)

Jenn C. Lussier

From: David W. Fina
Sent: Monday, July 12, 2010 3:39 PM
To: Greg S. Parker
Subject: Emailing: Result. tm
Attachments: Result.htm

Greg,
Do you think this case prohibits costs and fees in a foreclosure case incurred after a petition for bankruptcy is filed?
let me know your thoughts.

Jenn C. Lussier

From: Melanie A. Vaughn
Sent: Tuesday, July 06, 2010 10:20 AM
To: Greg S. Parker
Subject: Bank NY v. Bailey

Bank of NY v. Annie Grace Bailey
08-166-CA (Hamilton)

Skip Jarvis called again he said Ms. Bailey was in his office. She is the defendant in a foreclosure matter that was heard June 18th before Judge Guinta in Hamilton (you were on vacation on 6/18). Ms. Bailey wants to have the foreclosure sale (8/5) postponed. Skip said he knew you would not want to conduct exparte communication with her but she has a good reason to have the sale postponed. Her granddaughter stole her identity. I do not have any further information than that.

Doesn't Ms. Bailey need to file something with the Court? Do you want to speak w/Skip about this?

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: 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: Melanie A. Vaughn
Sent: Monday, May 10, 2010 2:03 PM
To: Greg S. Parker
Subject: Ocwen v. Webb

Ocwen v. Webb
09-561-CA (Madison)

Clay Schnitker called for a 5-min emergency hrg to stop a foreclosure sale scheduled for tomorrow at 11:00. I set it for tomorrow morning at 8:30. I know you have several Inj/ProSe hrgs, but thought you would be willing to hear it. If you have any objection, please let me know. (My understanding is that the defendants have a short sale pending.)

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: barbara ceryak <ceryak@gmail.com>
Sent: Tuesday, July 20, 2010 9:26 AM
To: Sondra M. Lanier
Cc: Kevin C Lunsford; David W. Fina
Subject: Re: Foreclosure Case Manager Position

OK, thanks for letting us know. If I can help, let me know. I'll be back from my trip Aug. 20. Leaving in the next couple hours. Driving to Canada, don't know whether to be excited or dread it.....

Talk to you when I get back

Barb

On Tue, Jul 20, 2010 at 8:40 AM, Sondra M. Lanier <lanier.sondra@jud3.flcourts.org> wrote:
We are not going to be able to contract this out. We will have to fill the positions or handle the work internally. OSCA has sent us a database to work from, and we will go from there with our existing staff at this point.

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

From: Kevin C Lunsford <kevin@kevinlunsford.com>
Sent: Monday, July 19, 2010 8:55 PM
To: lanier.sondra@jud3.flcourts.org <lanier.sondra@jud3.flcourts.org>; David W. Fina <fina.david@jud3.flcourts.org>
Cc: ceryak, barbara <ceryak@gmail.com>
Subject: Foreclosure Case Manager Position

I am in full agreement with Barb's analysis.

I am certain that Barbara along with the utilization of our Foreclosure Case Manager (FCM) software would provide the Court with a more efficient and politically neutral solution than filling the "position" in the traditional sense.

Our software developer, AeroSoft, Inc., could make the required adjustments to the FCM program to track and report exactly what is required. The Forms, Letters, Notice of Hearing, etc. could easily be changed to meet your needs. The program generates all of the forms and envelopes.

We use the program now to do essentially the same thing you would require only for post April 15 cases or older cases which are referred by the Court to the RMFM Program.

I understand the funding guidelines/restrictions may be an impediment. If that could be worked out, I am confident that you would be happy with the service provided.

As Barb said, I can provide a demonstration of the software if you would like. Just let me know. I would also be happy to meet with you if you wish to discuss this further.

Lastly, Suwannee Valley Foreclosure Mediation, Inc. is ready and willing to handle the backlog of cases which are appropriate for mediation.

Kevin

Jenn C. Lussier

From: Sondra M. Lanier
Sent: Tuesday, July 20, 2010 8:41 AM
To: Kevin C Lunsford; Sondra M. Lanier; David W. Fina
Cc: ceryak, barbara
Subject: RE: Foreclosure Case Manager Position

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

From: Kevin C Lunsford <kevin@kevinlunsford.com>
Sent: Monday, July 19, 2010 8:55 PM
To: lanier.sondra@jud3.flcourts.org <lanier.sondra@jud3.flcourts.org>; David W. Fina <fina.david@jud3.flcourts.org>
Cc: ceryak, barbara <ceryak@gmail.com>
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Kevin

Jenn C. Lussier

From: The Florida Bar <careercenter@flabar.org>
Sent: Tuesday, July 20, 2010 8:02 AM
To: David W. Fina
Subject: Job Flash: 18 new legal jobs

18 new legal jobs | [View this email in your browser](#)

Florida Bar Job Flash

The latest legal jobs from
The Florida Bar

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18 new legal jobs

Personal Injury Caseworker Law Offices of John Stemberger - Orlando, FL

Established and reputable small firm seeking experienced legal assistant with minimum of 3 years experience working with personal injury cases. (Open to considering part time position for the right candidates with family responsibilities). Qualified candidates will be hard working, flexible, multi-taskers with good communication and organizational skills. Able to work alone or with others. Firm also involved with politics and high profile cases. Proficiency in Microsoft Office Suite. [more info...](#)

Associate Oxbow Corporation - West Palm Beach, FL

Oxbow Corporation, West Palm Beach, Florida is seeking an attorney with approximately 3-10 year experience in general commercial law, including transactions, natural resources and environmental law. Spanish-language skills are desirable but not required. Candidates should submit their resumes to shelley.mcnellis@oxbow.com. Please visit our website at www.oxbow.com. [more info...](#)

General Counsel Miami Art Museum - Miami, FL

Miami Art Museum (MAM) (www.miamiartmuseum.org) is looking for its first General Counsel. MAM serves one of the most diverse and fast-growing regions of the country, where a confluence of North and Latin American cultures adds vibrancy and texture to the civic landscape. MAM is a 501(c) (3) non-profit contemporary art museum in downtown Miami with a civic Board of Trustees. [more info...](#)

Insurance Defense & Employment Litigation Attorney Lydecker | Diaz - Miami, FL

Mid-sized Brickell law firm seeking a motivated attorney with 2-3 years of insurance defense & employment litigation experience. Excellent benefits. Salary commensurate with experience. Email or fax resume to: caw@lydeckerdiaz.com or (305)416-3190 (Attn: Cathy) [more info...](#)

Litigation Associate Fulmer, LeRoy, Albee, Baumann & Glass, P.L.C. - Jacksonville, FL

Fulmer, LeRoy, Albee, Baumann & Glass, P.L.C., with offices in Orlando, Ft. Lauderdale, Tampa, and Jacksonville, is seeking litigation associate with 4 yrs of insurance defense litigation experience, inclusive of personal injury defense and/or general civil defense litigation, for Jacksonville office. Must have tried at least 1 jury trial, as first chair litigator, from inception through verdict, and be able to handle own case load independently. Please email resume to Nschinkel@FulmerLeRoy.com [more info...](#)

PIP Attorney Stiles, Taylor & Grace - Hollywood, FL

Mid-sized AV rated law firm seeking a part time attorney with 2 years experience in PIP for its Hollywood office. Excellent benefits. Salary commensurate with experience. [more info...](#)

Bankruptcy Attorney Law Offices of Marshall C. Watson P.A. - Fort Lauderdale, FL

Prestigious Fort Lauderdale full service law firm, which strictly represents mortgage lenders and servicers throughout Florida is in search for a Bankruptcy Attorney for our Fort Lauderdale Corporate Office. The services our firm provides range from foreclosure, bankruptcy representation and evictions to REO closings and title insurance. Our office provides the highest quality representation available and continually strives to ensure our interests are aligned with those of our clients. [more info...](#)

Title Examiner Law Offices of Marshall C. Watson P.A. - Fort Lauderdale, FL

Prestigious Fort Lauderdale full service law firm, which strictly represents mortgage lenders and servicers throughout Florida is in search for a Title Examiner for our Fort Lauderdale Corporate Office. The services our firm provides range from foreclosure, bankruptcy representation and evictions to REO closings and title insurance. Our office provides the highest quality representation available and continually strives to ensure our interests are aligned with those of our clients. [more info...](#)

Attorney Law Office of James J. Pratt-Geico Staff Counsel - Tampa, FL

GEICO Insurance Company Staff Counsel. Staff attorney to handle all aspects of defending automobile bodily injury and uninsured motorist lawsuits. Seeking attorney with a minimum of three years insurance defense experience. Prior experience taking Plaintiffs' depositions, doctors' depositions, conducting mediations, general file management, trial preparation and trial. [more info...](#)

Family Law Attorney Confidential - Miami, FL

Our firm is looking for a Family Law Associate with 3-5 years experience. The applicant must have Family Law experience and Trial experience. The Associate will be in Court on a daily basis, meeting with clients, and working on documentation in the office. [more info...](#)

Litigation Attorney Gibson & Sharps, PSC - Florida and Georgia

Gibson & Sharps is one of the nations largest law firms focusing its practice solely on enforcing insurance carriers rights of subrogation and reimbursement. We are seeking a litigation attorney with 3 to 5 years of experience to open a satellite office to handle the firm's subrogation litigation in Florida and Georgia. Office will be in Florida, with successful candidate having input on location. Valid Florida and Georgia law licenses required. Competitive salary and benefits package. [more info...](#)

Criminal Defense Attorney Needed Musca Law - Naples, FL

Seeking an experienced criminal defense attorney. Candidate must be conscientious about their responsibilities; detail oriented and have good people skills. Must be a member of the Florida Bar without any disciplinary history. Minimum of three years criminal experience required. [more info...](#)

First Party Property Attorney Lydecker | Diaz - Miami, FL

Mid-sized law firm seeking a motivated attorney with 3 years experience in First Party Property litigation for its Miami office. Excellent benefits. Salary commensurate with experience. [more info...](#)

Associate Foreclosure Attorney The Law Office of Daniel C. Consuegra - Tampa, FL

Tampa statewide creditor's rights / foreclosure firm seeking focused foreclosure attorney. Must be admitted to the Florida Bar and in good standing. We will train the right candidate in this area of law. We offer competitive compensation package & relaxed environment. Please send resume to:

hr@consuegralaw.com [more info...](#)

Experienced Attorneys with Portables Stiles, Taylor & Grace - Statewide, FL

Experienced and highly motivated Attorney w/portable business needed who is looking for someone else to worry about the day to day management of a law office and has a practice in one or more of the following areas: auto defense; PIP defense; workers compensation defense; regulatory defense, lobby or bankruptcy needed for a mid-sized AV rated defense law firm for its Jacksonville, Tallahassee or Hollywood offices. Excellent benefits. Salary commensurate with experience. [more info...](#)

Commercial Litigation Paralegal Concepcion, Sexton & Martinez - Miami, FL

Coral Gables law firm has an immediate temporary to permanent opening for a litigation paralegal with 5 years of experience. The ideal candidate must be detail oriented, highly organized and able to handle all aspects of commercial litigation cases including discovery, electronic filing of pleadings and motions, trial preparation, legal research, etc. [more info...](#)

Prelitigation Personal Injury Attorney John Bales Attorneys - Tampa Bay, FL

Growing Plaintiff-based personal injury and insurance coverage law firm is seeking professional qualified attorneys. Positions require a minimum of 3 years experience. Highly motivated applicants must have outstanding advocacy and negotiation skills and proficiency at law office computer systems. The firm seeks individuals who are team players, detailed, accomplishment driven, and have a desire to help others. Excellent academic background and proven research and writing skills required. [more info...](#)

Paralegal Fulmer, LeRoy, Albee, Baumann & Glass, P.L.C. - Tampa, FL

Fulmer, LeRoy, Albee, Baumann & Glass, P.L.C., has offices in Orlando, Ft. Lauderdale, Tampa, and Jacksonville, is seeking a full-time litigation paralegal with 2 or more years of insurance defense litigation experience inclusive of personal injury defense and/or general civil defense litigation for its Tampa office. Must have experience in reviewing and analyzing medical records and must be able to handle own case load independently. Please email your resume to SSetlich@FulmerLeRoy.com. [more info...](#)

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Jenn C. Lussier

From: Kevin C Lunsford <kevin@kevinlunsford.com>
Sent: Monday, July 19, 2010 8:57 PM
To: Sondra M. Lanier; David W. Fina
Cc: ceryak, barbara
Subject: Foreclosure Case Manager Position

I am in full agreement with Barb's analysis.

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Lastly, Suwannee Valley Foreclosure Mediation, Inc. is ready and willing to handle the backlog of cases which are appropriate for mediation.

Kevin

Jenn C. Lussier

From: Julian E. Collins
Sent: Monday, July 19, 2010 4:58 PM
To: David W. Fina
Subject: RE: Conference of Circuit Judges civil justice committee meeting

Gee, David, thanks so much for the message about civil justice committee topics. I'm going to the lack of civility committee meeting. It should be infinitely more interesting. JEC

Julian Collins

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)

Jenn C. Lussier

From: Debra P. Sadler
Sent: Monday, July 19, 2010 9:38 AM
To: David W. Fina
Subject: RE: Conference of Circuit Judges civil justice committee meeting

Got it Judge and printing for J. Bean.
Thanks,
Debra

From: David W. Fina
Sent: 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

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Third Judicial Circuit

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863-402-6901(Phone)
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Jenn C. Lussier

From: David W. Fina
Sent: Monday, July 19, 2010 9:25 AM
To: Millicent A. Schneider
Subject: FW: Admin. order on foreclosure mediation

Can you set something up?

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Clay Schnitker [mailto:cschnitker@earthlink.net]
Sent: Thursday, July 15, 2010 10:53
To: David W. Fina; Michael Smith
Subject: Admin. order on foreclosure mediation

Judge Fina,

Mike Smith and I would like to meet with you for lunch one day if possible to discuss the third circuit's administrative order regarding foreclosure mediation. We will be glad to meet you in Live Oak at a date that will be convenient to you. I cannot meet next week, but if you are willing please let us know a couple of dates that will work on your calendar. Thank you.

Clay

Jenn C. Lussier

From: Paul S. Bryan
Sent: Monday, July 19, 2010 8:44 AM
To: David W. Fina
Subject: RE: Conference of Circuit Judges civil justice committee meeting

Thanks for info -- are you or some repr. Of Third Cir.
Going?.. I will not be going to it. Paul Bryan

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

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

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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

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Jenn C. Lussier

From: David W. Fina
Sent: Tuesday, July 13, 2010 10:14 AM
To: Crystal M. Ecker
Subject: RE: Emailing: Result.htm

In re Perez
2009 WL 535977 (Bkrcty S.D. Fla)
21 FLW Fed. B 715

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Crystal M. Ecker
Sent: Monday, July 12, 2010 4:55
To: David W. Fina
Subject: RE: Emailing: Result.htm

Judge Fina,

Can you please send me the citation to the case you have referenced? When I tried to open the attachment, it gave me an unusual error message. Sorry about the inconvenience.

Thanks!
Crystal

Crystal M. Ecker
Trial Court Law Clerk
Third Judicial Circuit

173 NE Hernando Avenue
Lake City, Florida 32055
Phone: 386.754.7028
Fax: 386.758.2162

From: David W. Fina
Sent: Monday, July 12, 2010 3:41 PM
To: Crystal M. Ecker
Subject: Emailing: Result.htm

Crystal,
Do you think this case prohibits costs and fees in a foreclosure case incurred after a petition for bankruptcy is filed?
Let me know your thoughts.

Jenn C. Lussier

From: David W. Fina
Sent: Monday, July 12, 2010 3:41 PM
To: Crystal M. Ecker
Subject: Emailing: Result.htm
Attachments: Result.htm

Crystal,
Do you think this case prohibits costs and fees in a foreclosure case incurred after a petition for bankruptcy is filed?
Let me know your thoughts.

Jenn C. Lussier

From: David W. Fina
Sent: Monday, July 12, 2010 3:40 PM
To: 'Wesley Fina'
Subject: Emailing: Result.htm
Attachments: Result.htm

Wes,
Do you think this case prohibits costs and fees in a foreclosure case incurred after a petition for bankruptcy is filed?
let me know your thoughts.

Jenn C. Lussier

From: David W. Fina
Sent: Monday, July 12, 2010 3:39 PM
To: Greg S. Parker
Subject: Emailing: Result. tm
Attachments: Result.htm

Greg,
Do you think this case prohibits costs and fees in a foreclosure case incurred after a petition for bankruptcy is filed?
let me know your thoughts.

Jenn C. Lussier

From: David W. Fina
Sent: Thursday, June 24, 2010 2:13 PM
To: Sondra M. Lanier
Subject: FW: STATUS REPORT ORDER
Attachments: STATUS REPORT ORDER.doc

Do we have our form ready yet?

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Cindy Mock [mailto:cmock@taylorclerk.com]
Sent: Thursday, June 24, 2010 12:20
To: David W. Fina
Subject: STATUS REPORT ORDER

Judge Fina:

Please review the attached Order Requiring Status Report with regards to foreclosure action, that I prepared. Please feel free to make changes/additions, and e-mail it back to me when it meets your approval.

Thanks,
Annie Mae

Cindy Mock
Administrative Assistant
to Annie Mae Murphy
Clerk Circuit Court
Taylor County, Florida
108 N. Jefferson St.
P.O. Box 620
Perry, FL 32348
(850) 838-3506 x111

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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

CASE NO.: _____

Plaintiff (s),

v.

Defendant (s)

ORDER REQUIRING STATUS REPORT

By the Court's own Motion:

1. The Clerk of Court has reviewed the above Mortgage Foreclosure case and has determined that the date of the last filing in this case was on _____.

Ordered and Adjudged:

1. The Plaintiff (s) shall file a Status Report with this Court within twenty (20) days as to why this Mortgage Foreclosure action has not proceeded to Final Judgment.
2. If your desire is not to proceed with this Mortgage Foreclosure, please file your Motion to Dismiss for consideration by the Court.
3. Failure to file a Status Report with the Courts could result in dismissal of this Mortgage Foreclosure action.
4. Copies of the Status Report or Motion to Dismiss shall be filed as follows:

Original – Clerk

Copy – Hon. James R. Bean

Copy – Plaintiff (s) and Defendants (s)

Done and Ordered at Perry, Florida, this _____ day of _____, 2010.

CIRCUIT JUDGE

Copies:

Attorney for Plaintiff (s)

Attorney for Defendant or Attorney

Jenn C. Lussier

From: David W. Fina
Sent: Friday, June 11, 2010 4:52 PM
To: Sondra M. Lanier
Subject: RE: Response to John Dew

I got an ok from Barry, Tim, and Ricky so far. No one else has replied.
Can you go ahead and send it off?

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Sondra M. Lanier
Sent: Thursday, June 10, 2010 11:23
To: David W. Fina
Subject: RE: Response to John Dew

Sounds perfect.

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

From: David W. Fina
Sent: Thursday, June 10, 2010 11:22 AM
To: 'P. DeWitt Cason'; 'Hon. Annie Mae Murphy'; 'Hon. Barry Baker'; 'Hon. Dana Johnson'; 'Hon. Greg Godwin'; 'Hon. Ricky Lyons'; 'Hon. Tim Sanders'
Cc: Sondra M. Lanier
Subject: RE: Response to John Dew

Below please find a proposed response on our plan to Mr. Dew.
Please give me your thoughts.
Thanks for your help.
David

Mr. Dew,

I write in response to Mr. Howard Forman's letter regarding the appropriation for the foreclosure and economic recovery initiative. I am providing feedback on behalf of the Third Judicial Circuit. The seven clerks of our circuit, our court administrator, and I had a conference call to discuss our plan and we are in agreement on this plan.

We plan to use the Court Administration portion of the appropriation for temporary staff (1 case manager and 1 secretary) to work in conjunction with the clerks to review cases, identify the ones that need to be dismissed, follow up on cases with no activity, send notices and correspondence as needed, and set status conferences as deemed appropriate before the assigned judge.

The additional case management will result in more work by our clerks, such as pulling files more frequently, increased filing, etc. The \$24k is insufficient for additional positions in all seven clerks' offices. The clerks have requested that their

portion be use to pay over time to employees, related costs and postage. We plan to work as closely as possible to comply with the initiative goals

Please let me know if you need additional information, or you may contact our court administrator, Sondra Lanier, at 386-362-1017 or lanier.sondra@jud3.flcourts.org.

Jenn C. Lussier

From: David W. Fina
Sent: Thursday, June 10, 2010 11:22 AM
To: 'P. DeWitt Cason'; 'Hon. Annie Mae Murphy'; 'Hon. Barry Baker'; 'Hon. Dana Johnson'; 'Hon. Greg Godwin'; 'Hon. Ricky Lyons'; 'Hon. Tim Sanders'
Cc: Sondra M. Lanier
Subject: RE: Response to John Dew

Below please find a proposed response on our plan to Mr. Dew.
Please give me your thoughts.
Thanks for your help.
David

Mr. Dew,

I write in response to Mr. Howard Forman's letter regarding the appropriation for the foreclosure and economic recovery initiative. I am providing feedback on behalf of the Third Judicial Circuit. The seven clerks of our circuit, our court administrator, and I had a conference call to discuss our plan and we are in agreement on this plan.

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Please let me know if you need additional information, or you may contact our court administrator, Sondra Lanier, at 386-362-1017 or lanier.sondra@jud3.flcourts.org.

Jenn C. Lussier

From: David W. Fina
Sent: Thursday, June 10, 2010 9:52 AM
To: 'P. DeWitt Cason'; 'Hon. Annie Mae Murphy'; Hon. Barry Baker; 'Hon. Dana Johnson'; 'Hon. Greg Godwin'; 'Hon. Ricky Lyons'; 'Hon. Tim Sanders'
Subject: RE: 3rd Circuit Chief Judge & Clerk's Meeting

July 16th would be better for me.
How does sept 16th look for our cookout @ the river?
Thanks for your input yesterday on the foreclosure "backlog" issue.
We will get a plan together and I will send it to all of you for your input.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: P. DeWitt Cason [mailto:pdcaison@columbiaclerk.com]
Sent: Tuesday, June 08, 2010 4:38
To: 'Hon. Annie Mae Murphy'; Hon. Barry Baker; 'Hon. Dana Johnson'; 'Hon. Greg Godwin'; 'Hon. Ricky Lyons'; 'Hon. Tim Sanders'
Cc: David W. Fina
Subject: 3rd Circuit Chief Judge & Clerk's Meeting

The next Chief Judge and Clerks of Court meeting will be held in Lake City. Please check your calendar and let me know if Friday, July 2nd or Friday, July 16th would better suit your schedule. Immediately following our meeting we will have lunch at Tucker's located across the street from the Courthouse.

Please feel free to send me any items that you wish to discuss.

I will send out a meeting notice as soon as the date is set.



P. DeWitt Cason
Columbia County Clerk Of Circuit Court
P.O. Box 2069
Lake City, FL 32056
386-758-1191

Jenn C. Lussier

From: David W. Fina
Sent: Tuesday, June 08, 2010 10:32 AM
To: 'mike@smithandsmithpa.net'
Subject: FW: Attorney's Needed for Foreclosure Mediation Program
Attachments: Admin_Order_2010-003.pdf

Mike,
Did you receive this response to your letter of 5/25?

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: David W. Fina
Sent: Thursday, May 27, 2010 3:43
To: 'mike@smithandsmithpa.net'
Subject: FW: Attorney's Needed for Foreclosure Mediation Program

Mike,
Attached is the email sent 4/10 regarding the order we spoke about earlier today.
I had ct. adm. staff verify that the order was sent and emailed to each 3rd circuit clerk on 4/14.
They are in the process of verifying the receipt of the same.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Kevin C Lunsford [mailto:klunsford@suwanneemediation.org]
Sent: Saturday, April 10, 2010 11:03
To: Kevin Lunsford
Subject: Attorney's Needed for Foreclosure Mediation Program

Greetings members of the Third Circuit Bar Association.

The Third Circuit's new Administrative Order on mortgage foreclosure mediation (AO2010-003 which goes into effect April 15, 2010) requires that the Program Manager assist homeowners that desire legal representation in finding attorneys that will represent them for little or no cost. The AO provides that an attorney can make a "limited appearance" for the purpose of the mediation conference only. If you are interested in providing low cost or pro bono representation to homeowners, please email me so I can add your name to a list that will be made available to homeowners upon request.

A copy of the new AO is attached. It is also available on the Court's web site
http://www.jud3.flcourts.org/admin_orders/Admin_Order_2010-003.pdf and on our web site www.suwanneemediation.org.

If you have any questions about the new AO, please do not hesitate to call or email me.

Kevin Lunsford
Suwannee Valley Foreclosure Mediation
P.O. Box 6126
Live Oak, FL 32064
386.269.4992 office
386.362.7673 fax

IN THE THIRD JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NUMBER 2010 – 003

**ADMINISTRATIVE ORDER FOR CASE MANAGEMENT OF
RESIDENTIAL FORECLOSURE CASES AND MANDATORY REFERRAL
OF MORTGAGE FORECLOSURE CASES INVOLVING HOMESTEAD
RESIDENCES TO MEDIATION**

Whereas, pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and power to do everything necessary to promote the prompt and efficient administration of justice, and rule 2.215(b)(3), Florida Rules of Judicial Administration, mandates the chief judge to “develop an administrative plan for the efficient and proper administration of all courts within the circuit;” and

Whereas, rule 2.545 of the Rules of Judicial Administration requires that the trial courts “...take charge of all cases at an early stage in the litigation and...control the progress of the case thereafter until the case is determined...”, which includes “...identifying cases subject to alternative dispute resolution processes;” and

Whereas, Chapter 44, Florida Statutes, and Rules 1.700-1.750, Florida Rules of Civil Procedure, provide a framework for court-ordered mediation of civil actions, except those matters expressly excluded by Rule 1.710(b), which does not exclude residential mortgage foreclosure actions; and

Whereas, residential mortgage foreclosure case filings have increased substantially in the Third Judicial Circuit, and state and county budget constraints have limited the ability of the courts in the Third Judicial Circuit to manage these cases in a timely manner; and

Whereas, high residential mortgage foreclosure rates are damaging the economies of the counties in the Third Judicial Circuit; and

Whereas, the Supreme Court of Florida has determined that mandatory mediation of homestead residential mortgage foreclosure actions prior to the matter being set for final hearing will facilitate the laudable goals of communication, facilitation, problem-solving between the parties with the emphasis on self-determination, the parties’ needs and interests, procedural flexibility, full disclosure, fairness, and confidentiality. Referring these cases to mediation will also facilitate and provide a more efficient use of limited judicial and clerk resources in a court system that is already overburdened; and

Whereas, Suwannee Valley Foreclosure Mediation, Inc. is an independent, nonpartisan, nonprofit organization that has demonstrable ability to assist the courts with managing the large number of residential mortgage foreclosure actions that recently have been filed in the Third

Jenn C. Lussier

From: David W. Fina
Sent: Thursday, May 27, 2010 3:43 PM
To: 'mike@smithandsmithpa.net'
Subject: FW: Attorney's Needed for Foreclosure Mediation Program
Attachments: Admin_Order_2010-003.pdf

Mike,
Attached is the email sent 4/10 regarding the order we spoke about earlier today.
I had ct. adm. staff verify that the order was sent and emailed to each 3rd circuit clerk on 4/14.
They are in the process of verifying the receipt of the same.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

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A copy of the new AO is attached. It is also available on the Court's web site
http://www.jud3.flcourts.org/admin_orders/Admin_Order_2010-003.pdf and on our web site www.suwanneemediation.org.

If you have any questions about the new AO, please do not hesitate to call or email me.

Kevin Lunsford
Suwannee Valley Foreclosure Mediation
P.O. Box 6126
Live Oak, FL 32064
386.269.4992 office
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IN THE THIRD JUDICIAL CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

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Jenn C. Lussier

From: David W. Fina
Sent: Tuesday, May 18, 2010 3:17 PM
To: Millicent A. Schneider
Subject: FW: SAVE THE DATE

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Third Circuit Bar Association [mailto:3circuitbar@gmail.com]

Sent: Tuesday, May 18, 2010 2:38

To: alegalvision@yahoo.com; aball_law@hotmail.com; acancio@alltel.net; adamsfarm@hughes.net; airth_h@yahoo.com; andrewjdecker@windstream.net; angela.miller@dot.state.fl.us; bigbish@gtcom.net; bill@blueandbyers.com; BOBDEKLE@yahoo.com; bonnie.green@dot.state.fl.us; William B. Brannon, Jr; brianjb@bellsouth.net; brianganga@bellsouth.net; bwr@rkkattorneys.com; cdr@pd3.coj.net; cliffwilson_rc1@jac.state.fl.us; cline@fairpoint.net; cmc@bbattorneys.com; Tom Coleman; Julian E. Collins; craig.jacobsen@sa3.state.fl.us; craunlaw@msn.com; cschnitker@earthlink.net; dana@lakecitylawoffice.com; danahill@windstream.net; danclark_rc1@jac.state.fl.us; dave.phelps@sa3.state.fl.us; David_Rothamer@dcf.state.fl.us; david.robertson@dot.state.fl.us; davisrb1@windstream.net; deborah.rivera@trls.org; decklaw@windstream.net; Debbie A. DeNike; dkdavisonlaw@gmail.com; dmv@pd3.coj.net; donna.macrae@trls.org; dosslaw@comcast.net; E. Vernon Douglas; dstathopoulos@tampabay.rr.com; dtomsawyer@yahoo.com; duane@duanethomas.org; ebbrowning@earthlink.net; ebrown@norrisattorneys.com; em_domain@msn.com; emapaloan@bellsouth.net; erniepage@fairpoint.net; erniepage3@embarqmail.com; esellers@windstream.net; ewlaw02@bellsouth.net; feliciathrem@alltel.net; David W. Fina; flcpd3@gtcom.net; flk@rkkattorneys.com; foyebwalker@comcast.net; frankgafford@bellsouth.net; fschutte@windstream.net; georgeblow@windstream.net; gnorris@norrisattorneys.com; gps@pd3.coj.net; gsdow@excite.com; gsparker@gp-attorney.com; hat@prevattlaw.com; heather@foremanolvera.com; herbertfdarby@bellsouth.net; hland@windstream.net; hwe@pd3.coj.net; info@kevinlunsford.com; Darren K. Jackson; James_Kirkconnell@dcf.state.fl.us; jay@jaywillingham.com; jeff@lakecitylawoffice.com; jerry.blair@windstream.net; jgw@pd3.coj.net; jhmccormick2@windstream.net; jjk@rkkattorneys.com; jkylemcleod@hotmail.com; jnorris@norrisattorneys.com; jocelyn.croci@dot.state.fl.us; joel@foremanolvera.com; john.weed@sa3.state.fl.us; Leandra G. Johnson; jonah.farr@sa3.state.fl.us; joye_clayton@dcf.state.fl.us; jrhd3@fairpoint.net; junebyers@blueandbyers.com; justinwblow@gmail.com; karen.hatton@sa3.state.fl.us; kendrahinton@bellsouth.net; kim.garner@sa3.state.fl.us; kim.sedor@sa3.state.fl.us; kkm@pd3.coj.net; Frederick L. Koberlein; krisanne.hall@sa3.state.fl.us; lalawrence39@hotmail.com; lauraann@taxattorney.comcastbiz.net; lawbishop@fairpoint.net; lawhatter@aol.com; lct@bbattorneys.com; ldepaz@foremanolvera.com; leagle@bellsouth.net; liveoakjohn@yahoo.com; lloydpeterson@hotmail.com; lucas.taylor@sa3.state.fl.us; maf@pd3.net; mao@pd3.coj.net; marseejdanielatt@bellsouth.net; mayorwitt@yahoo.com; mcm@bbattorneys.com; mcmillanlaw@windstream.net; mcraelaw@yahoo.com; mctunsil@bellsouth.net; mefeagle@bellsouth.net; michael.sanfilippo@sa3.state.fl.us; mike@smithandsmithpa.net; mindy.wollitz@sa3.state.fl.us; mlbryant3@yahoo.com; mmosteen79@yahoo.com; Adam L. Morrison; najah.adams@trls.org; nancyfieldsdisabilitylaw@hotmail.com; neveragainmichele@yahoo.com; pd3liveoak@hotmail.com; phendricklaw@aol.com; prossijaa.aero; ralph.maxon@dot.state.fl.us; ralphdeas@windstream.net; rdb@pd3.coj.net; rhettbullard@hotmail.com; rick@lakecitylawoffice.com; rjplaw@windstream.net; rmdeckerjr@windstream.net; roberta.getzan@sa3.state.fl.us; robertfjordan@msn.com; robertmoellenpa@bellsouth.net; rommesil@fairpoint.net; rudser@alltel.net; ruth.dow@va.gov; sandra.peterson@gal.fl.gov; saustinpeele@bellsouth.net; scb@bbattorneys.com; skaas@windstream.net; slaughter.william@jud3.fl.courts.org; sonnyscaff@yahoo.com; spousey@pcsphosphate.com; TaiblLaw@aol.com; thingson@avera.com; thomasestone@usa.net; thoward@omhlaw.com; tomi@bellsouth.net; tomk1@alltel.net; tomreeves@earthlink.net; tselfert@avera.com; ttdemas@bellsouth.net; twb@bbattorneys.com; walter_i_flinn@yahoo.com; websterbaker@gmail.com; wendyt@mail.sa3.state.fl.us; wes_douglas@hotmail.com; wewhitley@bellsouth.net; wfw@pd3.coj.net; wjh@bbattorneys.com; wm197@bellsouth.net; wseubanks@windstream.net; wtcopelandlaw@yahoo.com; youngkwon1@juno.com; zant17@shareinet.net; skip.jarvis@sa3.state.fl.us;

SAVE THE DATE
August 20, 2010

TCAWL
The Third Circuit Association for Women Lawyers
and
Three Rivers Legal Services, Inc.

are planning a

CLE Luncheon & Bankruptcy Judicial Reception

honoring the
United States Bankruptcy Court Judges sitting in the
Third Judicial Circuit of Florida

Our invited guests include:

The Honorable Paul M. Glenn
Chief United States Bankruptcy Judge
Middle District of Florida, Jacksonville Division

The Honorable Lewis Killian, Jr.
Chief United States Bankruptcy Judge
Northern District of Florida

The Honorable Jerry A. Funk
United States Bankruptcy Judge
Middle District of Florida

A CLE luncheon presentation on the Tax Ramifications of Mortgage Foreclosure will be given by Erica R. Shaffor, LLM, tax counsel for Three Rivers Legal Services, Inc.'s Low Income Tax Payer Clinic

CLE Credits Pending FL Bar Authorization
Friday, August 20, 2010

11:30am - 1:30pm
Venue and Cost to be Determined

Jenn C. Lussier

From: David W. Fina
Sent: Monday, March 29, 2010 11:24 AM
To: Sondra M. Lanier
Subject: FW: January 2010 SCRTF Revenue Report
Attachments: SCRTF January 2010 Actual Revenue Report.pdf

Let e get your thoughts on how to address this.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Heather Thuotte-Pierson [mailto:piersonh@flcourts.org]
Sent: Thursday, March 25, 2010 12:33
To: David W. Fina
Cc: Sondra M. Lanier
Subject: January 2010 SCRTF Revenue Report

Chief Judge Fina-

Attached you will find the SCRTF January 2010 Actual Revenue Report updated with January 2010 collections, deposited in February 2010 in the state courts revenue trust fund, from filing fees and fines. This report contains several months of historical revenue data from collections for June 2009 to Jan 2010 (from the DOR reports) for all designated trust fund categories. This information can assist you in identifying when revenues are not deposited correctly in the appropriate trust fund categories.

The Actual Revenue Report can also assist you in identifying that all counties in your circuit remitted revenues to the trust fund for all designated categories. In instances where a county remits \$0 for any of the categories the corresponding cell is shaded. Please note previous months actual revenues are not updated by the Department of Revenue for the Consolidation Reports and do not reflect changes made by the clerks to past data.

Some potential issues we have identified this month that you may want to discuss with your clerks are:
Hamilton - \$0 remitted for \$180/\$685/\$1,685 foreclosure filing fee revenues

Some potential ongoing issues we have identified that you may want to discuss with your clerks are:
Dixie – remitted \$0 for adjudication withheld fines
Hamilton - \$0 remitted for adjudication withheld fines and for the \$25 speeding fine increase
Lafayette –\$0 remitted for 18% of civil penalty
Suwannee – remitted \$0 for 18% of civil penalty, the \$25 speeding fine increase, and for adjudication withheld fines

OSCA staff continues to monitor these revenues at the state level, but we still need your assistance in working directly with your clerks. Please respond by April 8, 2010 to let us know if you see any questionable data in the reports and have contacted your clerk.

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

State Courts Revenue Trust Fund
Actual Revenues July 2009 to February 2010
\$180 Circuit Civil Cases

Circuit	County	June 2009 Collections/ July 2009 Remittance	July 2009 Collections/ August 2009 Remittance	August 2009 Collections/ September 2009 Remittance	September 2009 Collections/ October 2009 Remittance	October 2009 Collections/ November 2009 Remittance	November 2009 Collections/ December 2009 Remittance	December 2009 Collections/ January 2010 Remittance	January 2010 Collections/ February 2010 Remittance	Total
1	Escambia	\$26,460.00	\$12,960.00	\$72,505.00	\$54,280.00	\$32,780.00	\$26,800.00	\$31,120.00	\$27,940.00	\$284,845.00
1	Okaloosa	\$350.00	\$18,838.99	\$19,520.00	\$21,780.00	\$16,740.00	\$17,280.00	\$21,240.00	\$11,700.00	\$127,448.99
1	Santa Rosa	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.00	\$7,200.00	\$12,600.00	\$9,180.00	\$30,060.00
1	Walton	\$7,380.00	\$9,180.00	\$8,820.00	\$11,700.00	\$7,560.00	\$9,720.00	\$10,459.00	\$7,380.00	\$72,199.00
2	Franklin	\$900.00	\$1,080.00	\$1,620.00	\$1,440.00	\$2,340.00	\$540.00	\$1,800.00	\$720.00	\$10,440.00
2	Gadsden	\$23,440.00	\$11,805.00	\$3,060.00	\$3,240.00	\$3,060.00	\$2,160.00	\$2,700.00	\$4,140.00	\$53,605.00
2	Jefferson	\$0.00	\$0.00	\$1,420.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,420.00
2	Leon	\$41,760.00	\$44,228.57	\$40,574.50	\$47,010.33	\$35,604.75	\$36,182.75	\$43,870.18	\$32,355.50	\$321,586.58
2	Liberty	\$2,075.00	\$360.00	\$360.00	\$180.00	\$360.00	\$180.00	\$540.00	\$0.00	\$4,055.00
2	Wakulla	\$3,420.00	\$3,540.00	\$1,900.00	\$2,220.00	\$1,840.00	\$1,380.00	\$3,480.00	\$3,240.00	\$21,020.00
3	Columbia	\$4,550.00	\$5,400.00	\$5,040.00	\$4,500.00	\$7,920.00	\$6,120.00	\$4,500.00	\$4,140.00	\$42,170.00
3	Dixie	\$0.00	\$0.00	\$0.00	\$180.00	\$0.00	\$1,980.00	\$720.00	\$1,440.00	\$4,320.00
3	Hamilton	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
3	Lafayette	\$0.00	\$360.50	\$380.00	\$540.00	\$720.00	\$540.00	\$360.00	\$180.00	\$3,080.50
3	Madison	\$1,620.00	\$8,905.00	\$4,555.00	\$1,260.00	\$1,620.00	\$1,440.00	\$1,080.00	\$720.00	\$21,200.00
3	Suwannee	\$9,010.00	\$2,340.00	\$0.00	\$2,520.00	\$2,520.00	\$2,340.00	\$2,520.00	\$1,620.00	\$22,870.00
3	Taylor	\$1,871.00	\$360.00	\$540.00	\$360.00	\$900.00	\$2,340.00	\$1,260.00	\$720.00	\$8,351.00
4	Clay	\$10,980.00	\$14,032.06	\$11,880.00	\$12,420.00	\$14,400.00	\$8,820.00	\$10,000.00	\$9,180.00	\$91,712.06
4	Duval	\$76,875.50	\$104,905.00	\$103,842.50	\$94,538.00	\$105,047.00	\$82,745.00	\$98,595.00	\$71,631.00	\$738,179.00
4	Nassau	\$5,040.00	\$5,400.00	\$5,040.00	\$5,400.00	\$7,740.00	\$4,860.00	\$6,480.00	\$4,680.00	\$44,640.00
5	Citrus	\$10,800.00	\$12,240.00	\$13,325.00	\$10,620.00	\$12,055.00	\$8,820.00	\$11,725.00	\$6,695.00	\$86,280.00
5	Hernando	\$17,820.00	\$75,420.00	\$79,560.00	\$72,720.00	\$80,820.00	\$21,060.00	\$20,700.00	\$17,280.00	\$385,380.00
5	Lake	\$23,940.00	\$24,300.00	\$30,960.00	\$24,385.00	\$28,620.00	\$22,860.00	\$25,380.00	\$19,080.00	\$199,525.00
5	Marion	\$26,265.26	\$54,568.69	\$27,892.62	\$33,401.32	\$18,895.07	\$39,683.61	\$18,268.52	\$26,100.00	\$245,075.09
5	Sumter	\$9,270.00	\$15,310.00	\$8,280.00	\$15,920.00	\$10,800.00	\$9,360.00	\$16,560.00	\$10,260.00	\$95,760.00
6	Pasco	\$46,221.39	\$56,131.05	\$52,039.20	\$46,440.00	\$58,079.71	\$47,879.11	\$48,424.39	\$41,840.39	\$397,055.24
6	Pinellas	\$116,435.00	\$152,150.00	\$115,660.00	\$127,180.00	\$121,320.00	\$105,120.00	\$113,760.00	\$91,260.00	\$942,885.00
7	Flagler	\$223,287.00	\$12,600.00	\$7,380.00	\$0.00	\$33,240.00	\$7,947.50	\$8,872.50	\$5,775.50	\$299,102.50
7	Putnam	\$0.00	\$4,780.00	\$4,140.00	\$10,934.50	\$5,760.00	\$4,500.00	\$6,300.00	\$5,760.00	\$42,174.50
7	St. Johns	\$15,021.50	\$24,896.50	\$21,583.00	\$19,414.50	\$19,234.50	\$15,840.00	\$16,354.50	\$16,551.50	\$148,896.00
7	Volusia	\$45,737.60	\$47,247.00	\$54,272.20	\$44,640.00	\$50,812.68	\$43,292.20	\$39,687.80	\$41,040.00	\$366,729.48
8	Alachua	\$24,779.00	\$16,729.00	\$17,720.00	\$18,540.00	\$16,200.00	\$10,080.00	\$28,570.00	\$18,360.00	\$150,978.00

Prepared by OSCA, Research and Data

Jenn C. Lussier

From: David W. Fina
Sent: Monday, March 15, 2010 11:39 AM
To: Sondra M. Lanier
Subject: RE: Friday's Meeting

Why not during today's meeting?

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Sondra M. Lanier
Sent: Monday, March 15, 2010 11:09
To: David W. Fina
Subject: RE: Friday's Meeting

And I had such hope...

When would it be convenient for us to meet for a little while?

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

From: David W. Fina
Sent: Monday, March 15, 2010 10:58 AM
To: Sondra M. Lanier
Subject: FW: Friday's Meeting

Sondra,
Take out the every other month language for now.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: David W. Fina
Sent: Monday, March 15, 2010 10:47
To: Sondra M. Lanier
Subject: RE: Friday's Meeting

I made a few changes.

David W. Fina
Third Circuit Court Judge
Third Judicial Circuit

From: Sondra M. Lanier
Sent: Saturday, March 13, 2010 1:25

To: David W. Fina
Subject: Friday's Meeting

Judge Fina – Please let me know if this is what should go out...

Judges,

Judges' Meetings are now going to be held every other month, with the next meeting being held on Friday, May 14 at 10:30 in the Suwannee County Courthouse. E-mail updates will go out following each meeting.

Following are some of the issues discussed at the Judges' Meeting on Friday, March 12, 2010.

- Judge Fina expects to enter an administrative order related to Foreclosure Mediations within approximately a week. The issue has been discussed on Chief Judges' calls, and the circuits were asked to coordinate their orders in order to ensure as much uniformity as possible among the circuits. We will be reviewing orders from the 4th, 11th, and 19th circuits, comparing them to the Supreme Court's model order, and drafting an order for our circuit based on those samples.
- An agreement between the 3rd and 8th Judicial Circuits allowing for juvenile detention hearings from Columbia, Dixie, Hamilton, Lafayette, and Suwannee Counties to be held in Gainesville on the weekends has expired, and it is currently under review and reconsideration. Judges in the 8th Judicial Circuit have expressed concern about a lack of follow-up by DJJ after juvenile detention hearings are held in Gainesville on the weekends. The 8th circuit will continue to conduct hearings for 90 days to allow for a new agreement to be reached if possible. A copy of Chief Judge Martha Lott's memo regarding this issue is attached for your information.
- Three bills under consideration by the Legislature have the potential to do away with judicial immunity, further reduce judges' salaries, and prevent judges from serving as senior judges for one year following their date of retirement. We will continue to monitor these bills and keep you informed as decisions are made.
- Silvia Harris is no longer employed by the Third Circuit as a Digital Court Reporter.
- Interviews were conducted on Friday afternoon for the Child Support Hearing Officer position.
- Crystal Ecker, our new law clerk, will begin on April 1; Adam and Lucas will leave on May 1; Jackie Jo Brinson will start as a law clerk on August 1; and we will be interviewing soon for a third law clerk to begin on August 1.
- *(Not mentioned at Judges' Meeting, but also staff news)* We are currently advertising for the User Support Analyst position previously held by Harold Blakley, and we expect to conduct interviews and fill that position soon.
- Debbie DeNike was in attendance at the meeting and reported to the judges that she expects to have time to take on new responsibilities as soon as a Child Support Hearing Officer is hired and begins work. Family court and foreclosures were discussed as two possible areas that she might add to her probate workload.
- Judge Fina reminded everyone that any requests for changes in assignments for the July 2010 – June 2011 calendar be made to him by the end of the day on Friday March 12th.

Sondra Lanier

Trial Court Administrator
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