



Construction defect cases will initially be automatically designated as extended cases.



On April 13, 2021, the Florida Supreme Court issued Administrative Order AOSC20-23, Amendment 12 (*In re: COVID-19 Emergency Measures for Florida Trial Courts*), directing chief judges throughout the state to issue administrative orders requiring presiding judges “to actively manage civil cases”


by issuing case management orders that specify pretrial deadlines and projected trial dates, and that establish maximum periods within which such deadlines shall be set consistent with the standards specified in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.

Therefore on April 26, the Chief Judge for Hillsborough County issued Administrative Order S-2021-023 (*Circuit Civil Differentiated Case Management Plan*), which can be accessed here: <https://www.fljud13.org/Portals/0/AO/DOCS/S-2021-023.pdf>.

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Attorneys –
Your client can sell all or part of their life insurance policy.

A Life Settlement Transaction is the sale of an existing life insurance policy that gives the owner a cash settlement in excess of the cash surrender value.




Example: Mr. Smith (age 78) owns a \$1,000,000 universal life policy on his life which he no longer wants, needs or can afford. Premiums are \$30,000 per year. Cash surrender value is \$20,000 (the amount the insurance carrier would give Mr. Smith if he was to surrender the policy). Rather than surrendering the policy, Mr. Smith choose the Life Settlement Transaction option.

POLICY SOLD – for \$290,000.


Example is for illustration only and is meant to educate about a life settlement option.

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ADMINISTRATIVE ORDER S-2021-023 — CIRCUIT CIVIL DIFFERENTIATED CASE MANAGEMENT PLAN

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Pursuant to Administrative Order S-2021-023, immediately upon filing, and based on the case type listed on the civil cover sheet, the Clerk of Court will designate certain civil cases as either (a) streamlined, (b) general, or (c) extended, and will then automatically generate a corresponding uniform Differentiated Case Management Order (DCM Order), electronically signed by the presiding judge, based on that designation.

DCM Order deadlines for *streamlined* cases will be consistent with the time standards set forth in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B) that establish *12 months* from filing to final disposition as a presumptively reasonable time for completion of *non-jury* civil cases.

DCM Order deadlines for *general* cases will be consistent with the time standards set forth in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B) that establish *18 months* from filing to final disposition as a presumptively reasonable time for completion of *jury* civil cases.

Extended cases are those that, because of their complexity, including the volume or nature of discovery and use of expert witnesses, present problems that cause reasonable delays. DCM Order deadlines for such cases may be extended.

Administrative Order S-2021-023 includes the list of case types from which plaintiffs select when preparing civil cover sheets and filing new cases, along with the corresponding *initial* automatic designation for each case. For example, construction defect cases will initially be automatically designated as *extended* cases, while breach of contract cases, mass tort cases, and product liability cases will initially be automatically designated as *general* cases.

However, the Clerk's initial designation will not prevent a case from being separately classified as complex in accordance with Florida Rule of Civil Procedure 1.201. Similarly, if a plaintiff selects that a case is appropriate for assignment to the Complex Business Litigation Division, then the Clerk will not designate the case as streamlined, general, or extended, but will instead file the case in the Complex Business Litigation Division.

Plaintiffs must serve the DCM Orders in the same manner and at the same time they serve complaints. Thereafter, parties may seek to modify DCM Orders by submitting stipulated Amended DCM Orders or, absent agreement after first conferring with the other parties, filing a motion, and setting it for hearing. ■



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