

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**ADMINISTRATIVE MEMORANDUM
CIV 12-D SECTION 24**

**IN RE: REQUIRED SUBMISSION OF
SERVICE LISTS IN FORECLOSURE CASES**

IN THE INTERESTS OF THE EFFICIENT JUDICIAL ADMINISTRATION of the Eleventh Judicial Circuit Civil Division, the current procedure of requiring plaintiff submission of updated service lists and envelopes has been reviewed. Although we modified our procedure to provide the information in an excel spread sheet as requested by firms, many firms continue to complain that the process of identifying which cases they are responsible for is time-consuming and expensive. Our internal study reflects an attorney compliance rate of 8%, which indicates that many Plaintiffs are not cooperating in moving cases forward in a timely fashion. However, rather than proceeding in contempt for non-compliance which fails to achieve the goal of moving cases, the Court has chosen to revise the procedures. Rather than using our list and selectively identifying their cases, Firms shall provide service lists and stamped mailing envelopes for all foreclosure cases which are currently pending for which they are counsel of record under the following instructions and deadline. In other words, a service list and envelopes is due in all your pending cases.

NOW THEREFORE, pursuant to the authority vested in me as Administrative Judge of the Circuit Civil Division of the Eleventh Judicial Circuit Court of Florida and Rule 2.215, Florida Rules of Judicial Administration, the following procedural requirements are hereby revised and implemented:

1. Plaintiff shall identify all open foreclosure cases in which the firm acts as Plaintiff's counsel and provide the following:
 - (a) A cover letter identifying the case number and style;
 - (b) A current, accurate service list, including Plaintiff's counsel (mailing and e-mail, addresses, as applicable);
 - (c) Pre-addressed, postage paid mailing envelopes for the entire service list, with the case number referenced on the face of the envelope.
2. Plaintiff shall provide the items in Section 1 above as follows:
 - (a) The deadline for submission for Cases filed in 2011 is 11/10/12;
 - (b) The deadline for submission for Cases filed in 2010 is 10/20/12;
 - (c) The deadline for submission for Cases filed in 2009 and earlier is 9/30/12.

Firms that wish to take advantage of group scheduling of trial should continue to follow that procedure to group cases for trial and we will honor same, however, that does not exempt them from compliance with this order. If the firm wishes to notice the case for trial, it should check to make sure the case is at issue, and should attach the notice of trial for that particular case. Those cases which are noticed under this procedure will be scheduled first under the group trial protocol, but service lists and envelopes should be provided for all cases for which the firm is currently responsible.

Failure to comply with this order will affect firm's eligibility to group schedule. If the Eleventh Circuit staff has to pull files, compile service lists, and type envelopes; please be assured that your convenience will not be considered due to non-compliance with this opportunity. Additionally, if a continuance is sought, non-compliance with this order will be considered as an adverse consideration.

3. Plaintiff shall deliver the required items in Section 1 to Room 900 of the Miami Dade County Courthouse located at 73 West Flagler Street, Miami, Florida 33130.
 - (a) Please deliver these items within the applicable time frames;
 - (b) Early submissions are encouraged and will be accepted. Please do not hold these items until the deadline to deliver your entire set; deliver these items as soon as they are ready.
4. In addition to the foregoing, Plaintiff shall file with the Clerk of the Courts its updated Notice of Filing Updated Service List and mailing envelopes.

5. Failure to comply with the foregoing requirements will result in the imposition of sanctions beyond the loss of group scheduling, including contempt of court.

This Administrative Memorandum shall take effect on immediately and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 6th day of September, 2012.

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

9/6/12 JDB