

SUPREME COURT OF FLORIDA

In re Amendments to Florida Rule of Judicial Administration 2.140

124 So. 3d 807 (Fla. 2013) · Decided February 7, 2013

SUMMARY

The Florida Supreme Court adopts amendments to Florida Rule of Judicial Administration 2.140 concerning procedures for amending court rules. The amendments establish a process for coordinated rulemaking by multiple committees and require reports and proposed amendments to comply with the Guidelines for Rules Submissions.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Polston, C.J.; Pariente, J.; Lewis, J.; Quince, J.; Canady, J.; Labarga, J.; Perry, J.
JURISDICTION	Florida
DECIDED	February 7, 2013
DISPOSITION	approved
PROCEDURAL POSTURE	The Florida Bar's Rules of Judicial Administration Committee filed an out-of-cycle report proposing amendments to Florida Rule of Judicial Administration 2.140. The Supreme Court of Florida exercised its rulemaking authority to adopt the proposed amendments and make additional amendments on its own motion.
PRECEDENTIAL VALUE	Published Florida Supreme Court opinion adopting and amending a rule of judicial administration.
PARTIES	The Florida Bar's Rules of Judicial Administration Committee

TOPICS

civil procedure

pleadings

PRACTICE AREAS

civil procedure

judicial administration

QUESTIONS PRESENTED

1. Whether the Supreme Court of Florida should adopt the Rules of Judicial Administration Committee's proposed amendments to Florida Rule of Judicial Administration 2.140.
2. Whether the court should amend additional subdivisions of rule 2.140 on its own motion to require compliance with the Guidelines for Rules Submissions and to clarify the content required in committee reports.

HOLDINGS

1. The court adopted the amendments proposed by the Rules of Judicial Administration Committee, including new subdivision (a)(7), which establishes a procedure for coordinating a single comprehensive rule-amendment report from multiple rules committees, and the renumbering of existing subdivisions (a)(5) and (a)(6).
2. Reports and proposed rule changes submitted under subdivisions (b), (e), and (f) of rule 2.140 must conform to the Guidelines for Rules Submissions approved by administrative order, and a report proposing amendments must include a narrative description of how each amendment changes the rule's language and a thorough discussion of the reason for each change.

KEY QUOTATIONS

“It is crucial that The Florida Bar rules committees provide the Court with thorough, comprehensive reports that adequately explain each proposed rule amendment.” (808)

“The Court can adopt proposed amendments more quickly when it can readily understand how each rule is being changed and the reasons for each change.” (808)

FACTUAL BACKGROUND

The Rules of Judicial Administration Committee proposed amendments to the procedures governing amendments to Florida court rules. The proposal included a new procedure for coordinating joint rule-amendment reports from multiple rules committees, rearrangement of existing subdivisions, and requirements that committee reports conform to court-approved submission guidelines. The court concluded that the proposed changes, together with additional amendments made on its own motion, would improve the completeness and quality of rule submissions.

PROCEDURAL HISTORY

The Rules of Judicial Administration Committee submitted an out-of-cycle report to the Supreme Court of Florida. The court adopted the committee's proposed amendments, added amendments on its own motion, and made the amendments effective immediately upon release of the opinion.

DISPOSITION

approved

