

SUPREME COURT OF FLORIDA

In re: Amendments to Florida Family Law Rule of Procedure 12.350

No. SC21-1625 (Fla. Apr. 7, 2022) · No. SC21-1625 · Decided April 7, 2022

SUMMARY

The Supreme Court of Florida amended Florida Family Law Rule of Procedure 12.350 concerning production of documents and things and entry onto land for inspection and other purposes. The amendment adds references to a respondent or third-party defendant and becomes effective July 1, 2022, at 12:01 a.m.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Charles T. Canady, Chief Justice; Ricky Polston, Justice; Jorge Labarga, Justice; John D. Couriel, Justice; Charles J. Lawson, Justice; Carlos G. Muñiz, Justice; Renatha Francis, Justice
JURISDICTION	Florida
DECIDED	April 7, 2022
DOCKET	SC21-1625
DISPOSITION	other
PROCEDURAL POSTURE	Original proceeding concerning proposed amendments to Florida Family Law Rule of Procedure 12.350.
PRECEDENTIAL VALUE	Published Florida Supreme Court rulemaking opinion adopting an amendment to the Florida Family Law Rules of Procedure.

TOPICS

family law procedure discovery dispute appellate procedure civil procedure

PRACTICE AREAS

family law civil procedure appellate procedure

QUESTIONS PRESENTED

- Whether Florida Family Law Rule of Procedure 12.350 should be amended to clarify the parties who may serve responses to requests for production and the applicable response period.

HOLDINGS

1. Rule 12.350 should be amended as proposed by the Florida Bar's Family Law Rules Committee to add "respondent or third-party" before "defendant" in subdivision (b).

KEY QUOTATIONS

“The amendments shall become effective July 1, 2022, at 12:01 a.m.”

FACTUAL BACKGROUND

The Florida Bar's Family Law Rules Committee proposed amendments to Rule 12.350 to clarify that the rule accurately reflects the parties who may appear in family law cases. The proposed amendment added the words "respondent or third-party" before "defendant" in subdivision (b), thereby extending the rule's response-time provision to respondent and third-party defendants. No comments were received during either publication period.

PROCEDURAL HISTORY

The Florida Bar's Family Law Rules Committee submitted a report proposing amendments to Rule 12.350. The committee and the Florida Bar's Board of Governors approved the proposals, and the proposals were published for comment without receiving any comments. The Supreme Court of Florida approved and adopted the amendments.

DISPOSITION

other