

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2016-055  
(Supersedes Administrative Order S-2016-010)**

**CIVIL APPELLATE DIVISION**

Article V, Section 5(b) of the Florida Constitution and Florida Rule of Appellate Procedure 9.030(c) empower the circuit court with jurisdiction of appeals when provided by general law. Since 2000, Appellate Division “X” – a specialized subdivision of the Circuit Civil Division – has enhanced the deliberative process and provided greater uniformity in the disposition of appeals.

It is necessary for the proper and efficient administration of the courts to update the provisions in the appellate division to include the newly established Circuit Civil Division “E” and increase the number of appellate panels.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of Judicial Administration 2.215(b)(2), it is ORDERED:

**1. Purpose**

The purpose of Division “X” is to consider and dispose of: all appeals from the Hillsborough County Court Civil Division; all appeals in accordance with section 318.33, Florida Statutes, and Florida Traffic Court Rule 6.630(e); all appeals of dangerous dog classifications, penalties, or both in accordance with section 767.12, Florida Statutes; all appeals from final administrative orders of local government code enforcement boards; and all appeals of non-final orders when provided by general law.

**2. Three-Judge Panels**

All civil appeals invoking the appellate jurisdiction of the circuit court in accordance with Florida Rule of Appellate Procedure 9.030(c)(1) will be heard by three-judge panels.

**3. Composition of Panels**

An appeal will be assigned by the Clerk of the Circuit Court (clerk) to one of 28 appellate panels in a blind and equitable fashion. The 28 appellate panels are to be comprised of the judges assigned to the general civil divisions as follows:

<b>PANEL NUMBER</b>	<b>DIVISIONS OF THE GENERAL CIVIL DIVISION</b>		
1	A	G	I
2	B	H	J
3	C	F	H
4	D	A	K
5	E	F	R
6	F	B	I
7	G	C	J
8	H	I	K
9	I	C	E
10	J	I	L
11	K	B	C
12	L	R	T
13	R	A	B
14	T	F	C
15	A	T	G
16	B	R	D
17	C	T	J
18	D	E	J
19	E	K	G
20	F	H	R
21	G	A	L
22	H	K	D
23	I	A	D
24	J	T	L
25	K	L	B
26	L	E	H
27	R	F	G
28	T	E	D

**4. Presiding Judge**

A. Designation. The judge assigned to the lettered division first named on each panel above will be the presiding judge of the panel.

B. Authority. The presiding judge will have full charge of the proceedings, provided that upon the absence or inability of the presiding judge to



act, the judge of the panel longest in continuous service may be substituted. The presiding judge will: (a) discharge the administrative duties of the panel, including scheduling oral argument sessions or oral-argument-waived conferences; (b) rule on all non-dispositive motions; (c) preside at all sessions; and (d) author any written opinion when the presiding judge is in the majority (When the presiding judge is in the minority, this responsibility will be discharged by the panel judge in the majority longest in continuous service.).

C. Non-Dispositive Motions. In order to facilitate expeditious disposition of appeals, the presiding judge may enter orders concerning matters encompassed within the following Florida Rules of Appellate Procedure:

- 9.040(b) (transfer to appropriate court of proceeding in inappropriate court);
- 9.040(d) (motions to amend);
- 9.200(e) (motions to enforce preparation and transmittal of record);
- 9.200(f) (motions to correct or supplement record);
- 9.300 (motions for extension of time);
- 9.320 (motions relating to oral argument);
- 9.360 (motions relating to joinder and substitution of parties);
- 9.370 (motions relating to amicus curiae);
- 9.420 (motions relating to service); and
- 9.440 (motions relating to admission or withdrawal of attorneys).

**5. Disqualification**

In a case where a judge on a panel finds it necessary in the interest of justice to be disqualified, the judge will enter an order and refer the matter to the clerk for assignment of another judge in accordance with a blind and equitable rotation system. If the judge who is disqualified was the presiding judge of the panel, then the reassigned judge will become the presiding judge.

**6. Judicial Automated Workflow System (JAWS)**

Attorneys appearing in appeals pending in the circuit court are required to associate themselves with the appeal on the Judicial Automated Workflow System (JAWS) so that as motions and briefs are filed and orders are entered all parties are served electronically.

**7. Practice Pointers**

Parties and counsel are encouraged to refer to the Appellate Practice Pointers

located on the circuit's webpage.

**8. Briefs**

All briefs must be filed and served according to the provisions of Florida Rule of Appellate Procedure 9.210 and Florida Rule of Judicial Administration 2.516, except that parties are only required to file an original without a paper copy. All documents filed must be in searchable PDF. Parties and counsel are encouraged to provide the court with copies of ordinances, regulations, and policies when relying on such local authority. These authorities may be provided electronically as an appendix to the brief or by hard copy.

**9. Motions**

All motions must conform to the provisions of Florida Rule of Appellate Procedure 9.300 and be served in accordance with Florida Rule of Judicial Administration 2.516.

**10. Decision**

After oral argument, or after discussion of a case in an oral-argument-waived conference, the panel will take a preliminary vote. Cases will be decided by majority vote. The court's opinion will follow the format approved by the court. The opinion and any concurring or dissenting opinions will be filed with the clerk.

**11. Rehearing or Clarification & Mandate**

If no motion for rehearing or clarification has been timely filed, the clerk will prepare the mandate for issuance in accordance with Florida Rule of Appellate Procedure 9.340. If a motion for rehearing or clarification has been timely filed, the judicial panel will consider the motion. When a decision on the motion for rehearing or clarification is entered, the presiding judge will notify the clerk to issue the mandate.

**10. Clerk**

In addition to the duties enumerated above, the clerk will also perform all ministerial functions and discharge all clerical duties traditionally fulfilled by clerks in Florida appellate courts.


**11. Previous Administrative Order Superseded**

This administrative order supersedes Administrative Order S-2016-010 (*Civil Appellate Division*).

**12. Effective Date**

This administrative order is effective January 3, 2017.

ENTERED in Tampa, Hillsborough County, Florida, on November 29,  
2016.

  
Ronald N. Ficarrotta, Chief Judge

Original to: Pat Frank, Clerk of the Circuit Court

Copy to: All Circuit Civil and County Civil Division Judges  
Hillsborough County Bar Association, Appellate Practice Section