

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS, AND POLK COUNTIES FLORIDA**

ADMINISTRATIVE ORDER NO. 3-35.0

**IN RE: CASE STATUS REPORTING REQUIREMENTS FOR REAL PROPERTY
MORTGAGE FORECLOSURE CASES**

WHEREAS, the status of a foreclosure case and related definitions have been adopted by the Florida Supreme Court and are published in the “FY 2013-14 Foreclosure Initiative Data Collection Plan” promulgated by the Office of the State Courts Administrator; and

WHEREAS, as set forth in Florida Supreme Court Administrative Order No. AOSC13-51 In Re: Case Status Reporting Requirements for Real Property Mortgage Foreclosure Cases (“AOSC13-51”), the Supreme Court found it beneficial to require the Chief Judge of every circuit to issue an administrative order implementing an effective communication mechanism by which the courts and clerks are notified of case status changes in real property mortgage foreclosure cases in a timely manner, and further requires the chief judge of every circuit to issue an administrative order providing direction for designating the status of cases as active or inactive, it is therefore

ORDERED that:

1. **Foreclosure Initiative Data Collection Plan:** The clerks of the courts for the Tenth Judicial Circuit are directed to comply with the requirements of the Foreclosure Initiative Data Collection Plan as promulgated by the Office of the State Courts Administrator.
2. **Notification by Clerk of Change in Case Status:** When the clerks of court become aware of events initiating a change in the status of a case (active or inactive), the clerk shall notify the court for further review.
3. **Orders Directing Change of Case Status:** When the court becomes aware of events initiating a change in the status of a case or when the clerk notifies the court of events initiating a change in the status of a case, the court shall issue an order directing the change in case status. Attachments A and B are sample orders directing the change of status for a case.
4. **Effective Date:** This order shall be effective immediately.

DONE and **ORDERED** in Polk County, Florida, on this 15th day of January, 2014.

WM. BRUCE SMITH, Chief Judge

**IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Plaintiff,

v.

Case No.:

Section:

Defendant.

_____ /

ORDER PLACING CASE ON INACTIVE STATUS

This cause came before the Court on the motion of ___Plaintiff/___Defendant to place the case on **INACTIVE** status due to:

- ___ Bankruptcy stay, Case No. _____ [BKST]
- ___ Case pending resolution of another case, Case No. _____ [CPRC]
- ___ Written agreement of the parties [BWAP]
- ___ Appeal pending [AP]
- ___ Motion to stay or abate due to Department of Justice/Attorney General settlement [DOJ/AG]
- ___ Other (a reason must be provided in writing by the presiding judge or designee) [OTH] _____

The Clerk of Court is therefore directed to remove this case from the **ACTIVE** status, and designate it as an **INACTIVE** case based on the reason checked above. The parties must move to return the case to active status, with notice to all parties, within 90 days of the termination of grounds for inactive status, and obtain an order of court to return it to active status.

It is further ORDERED: _____

DONE AND ORDERED in _____ County, Florida on this _____ day of _____, 20__.

Circuit Judge

Copies to:

**IN THE CIRCUIT COURT
OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA**

Plaintiff,

v.

Case No.:

Section:

Defendant.

_____ /

ORDER RETURNING CASE TO ACTIVE STATUS

This cause came before the Court on the motion of ___Plaintiff/___Defendant to restore the case to **ACTIVE** status due to:

- ___ Bankruptcy stay having been lifted, Case No. _____ [BKST LFT]
- ___ Related case having been resolved or disposed, Case No. _____ [CPCS DISP]
- ___ Written agreement of the parties [BWAP]
- ___ Appeal disposed [AP DISP]
- ___ Department of Justice/Attorney General settlement review has been completed [DOJ/AG DISP]
- ___ Other (a reason must be provided in writing by the presiding judge or designee) [OTH DISP] _____

The Clerk of Court is therefore directed to remove this case from the **INACTIVE** status, and designate it as an **ACTIVE** case based on the reason checked above.

It is further ORDERED: _____

DONE AND ORDERED in _____ County, Florida on this _____ day of _____, 20____.

Circuit Judge

Copies to:

ATTACHMENT B