

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

**SPECIAL ORDER**

**IN RE: TERMINATING CIVIL SECTION 11 AND REASSIGNMENT OF CASES**

WHEREAS, the Civil Division of the Circuit Court in Polk County is presently divided into five sections; and

WHEREAS, in order to promote judicial economy, maximize judicial resources, and provide for the prompt and efficient administration of justice in this circuit, it is necessary to terminate Section 11 and reassign the Section 11 cases as evenly as possible to the remaining four civil sections; and

WHEREAS, in accordance with the authority 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); and

IT IS HEREBY ORDERED and DIRECTED that:

1. **TERMINATION:** Section 11 of the Polk County Circuit Court is terminated effective September 1, 2023, at 12:00 p.m.
2. **REASSIGNMENT OF CASES:** Upon termination of Section 11, the Polk County Clerk of the Court shall randomly reassign the open/reopen and closed Section 11 cases as evenly as possible to the remaining four civil sections. A list of the open/reopen cases to be reassigned is attached hereto as Attachment A.
3. **NEWLY FILED CASES:** Upon termination of Section 11, the Polk County Clerk of Courts shall begin randomly assigning newly filed cases to the remaining four civil sections, except that professional malpractice cases and eminent domain cases shall be assigned as outlined in Administrative Order No. 2-27.2 (or as subsequently amended).
4. **TRIALS AND HEARINGS SCHEDULED FOR 2023:** Prior to January 4, 2024, Judge Wayne Durden, the judge currently assigned to Section 11, shall continue to hold and preside over presently scheduled hearings and trials, schedule and hear all matters which can be heard on the section's calendar prior to January 4, 2024, and otherwise take judicial action on those cases listed in the attached list of cases, EXCEPT THAT REQUESTS FOR HEARINGS AND TRIALS TO BE HELD ON OR AFTER JANUARY 4, 2024, SHALL BE REFERRED TO THE NEWLY ASSIGNED JUDGE OF THE CASE.
5. **TRIALS AND HEARINGS SCHEDULED FOR 2024:** Regarding trials already scheduled in 2024 on the Section 11 Trial Calendar, Judge Durden will conduct a Case Management Conference on September 13, 2023 (or at such other time as necessary)

for the purpose of rescheduling those trials in accord with the newly assigned Judges' Trial Calendars.

Regarding hearings that are currently scheduled on the Section 11 Hearing Calendar in 2024, the parties will need to contact the newly assigned Judge's office to reschedule those hearings with the assigned Judge.

6. EFFECTIVE DATE: This special order is effective upon signing.

DONE AND ORDERED in chambers, at Bartow, Polk County, Florida this 1st day of September, 2023.

s/JAMES A. YANCEY, Chief Judge

Original:  
Polk County Clerk of Courts

Copies:  
All Judges  
Polk County Clerk of Courts  
Trial Court Administrator  
Electronic Bar Mailing

## ATTACHMENT A

### Open/Reopen Cases

2023-CA-004808-0000-00
2023-CA-005523-0000-00
2014-CA-002309-0000-00
2016-CA-001622-0000-00
2018-CA-004164-0000-00
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2019-CA-002903-0000-00
2019-CA-003969-0000-00
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2020-CA-000141-0000-00
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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

### Open/Reopen Cases

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## ATTACHMENT A

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2023-CA-005416-0000-00

## ATTACHMENT A

### Open/Reopen Cases

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