

By the Committee on Judiciary

308-779-00

1 A bill to be entitled
 2 An act relating to complex civil litigation;
 3 creating complex civil litigation divisions;
 4 providing for adoption of rules by the Supreme
 5 Court; providing definitions; providing an
 6 effective date.

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 8 WHEREAS, the Legislature recognizes that complex civil
 9 litigation places extraordinary burdens on the state court
 10 system with the result that timely and efficient resolution of
 11 complex cases is difficult to achieve, and

12 WHEREAS, the Legislature further recognizes that
 13 complex civil actions also adversely affect the court's
 14 ability to administer and manage all civil actions regardless
 15 of their complexity, and

16 WHEREAS, the Legislature desires that all civil actions
 17 be timely and efficiently resolved, NOW, THEREFORE,

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Complex Litigation Division.--

22 (1) There is created within each judicial circuit
 23 having a population greater than 1,250,000 a Complex
 24 Litigation Division to be administered by the Supreme Court
 25 and the chief judge of each participating circuit. The Supreme
 26 Court shall adopt rules and procedures for the establishment
 27 and operation of each Complex Litigation Division.

28 (2) The Complex Litigation Division shall hear civil
 29 actions that are governed by the Florida Rules of Civil
 30 Procedure and that are found to be complex under the standards
 31 of this section.

1 (3) A civil action is complex when the trial is
2 expected to last more than 3 weeks.

3 (4) A civil action may be considered to be complex
4 when the trial is expected to last less than 3 weeks and
5 involves the following:

6 (a) Antitrust claims;

7 (b) Construction defect claims involving multiple
8 parties;

9 (c) Shareholder derivative claims;

10 (d) Environmental or toxic tort claims involving
11 multiple parties;

12 (e) Mass tort claims;

13 (f) Claims involving class actions; or

14 (g) Insurance coverage claims arising out of any
15 claims listed in paragraphs (a)-(f).

16 (5) Each complex litigation division required by this
17 section must be established and operational by July 1, 2001.

18 Section 2. This act shall take effect July 1, 2000.

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21 SENATE SUMMARY

22 Creates within certain circuits a Complex Litigation
23 Division to be administered by the Supreme Court and the
24 chief judge of each participating circuit. Requires the
25 Supreme Court to adopt rules. Requires the Complex
26 Litigation Division to hear complex civil actions.
27 Defines the term "civil action." Such divisions must be
28 operational by July 1, 2001.