

By the Committee on Judiciary

308-1665-00

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A bill to be entitled  
An act relating to complex civil litigation;  
creating s. 26.58, F.S.; providing for complex  
civil litigation divisions; providing for  
adoption of rules by the Supreme Court;  
providing definitions; amending s. 28.241,  
F.S.; providing an exception to filing fees;  
providing an effective date.

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

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

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

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

Section 1. Section 26.58, Florida Statutes, is created  
to read:

26.58 Complex Litigation Division.--

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

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

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

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

10           (a) Antitrust claims;

11           (b) Construction defect claims involving multiple  
12 parties;

13           (c) Shareholder derivative claims;

14           (d) Environmental or toxic tort claims involving  
15 multiple parties;

16           (e) Mass tort claims;

17           (f) Claims involving class actions; or

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

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

22           (6) The chief judge of each circuit shall determine  
23 the amount of a service charge for the establishment,  
24 maintenance, or supplementation of a complex litigation  
25 division authorized by this section, which service charge  
26 shall be added to the filing fee of the cases designated as  
27 complex for such circuit. The service charge authorized by  
28 this section shall be paid only by the party or parties whose  
29 action is filed or placed in the complex litigation division.

30           Section 2. Subsection (6) is added to section 28.241,  
31 Florida Statutes, to read:

