By the Committee on Judiciary

308-1665-00

1 A bill to be entitled 2 An act relating to complex civil litigation; creating s. 26.58, F.S.; providing for complex 3 4 civil litigation divisions; providing for 5 adoption of rules by the Supreme Court; 6 providing definitions; amending s. 28.241, 7 F.S.; providing an exception to filing fees; providing an effective date. 8 9 10 WHEREAS, the Legislature recognizes that complex civil litigation places extraordinary burdens on the state court 11 12 system with the result that timely and efficient resolution of complex cases is difficult to achieve, and 13 WHEREAS, the Legislature further recognizes that 14 complex civil actions also adversely affect the court's 15 ability to administer and manage all civil actions regardless 16 17 of their complexity, and WHEREAS, the Legislature desires that all civil actions 18 19 be timely and efficiently resolved, NOW, THEREFORE, 20 21 Be It Enacted by the Legislature of the State of Florida: 22 Section 1. Section 26.58, Florida Statutes, is created 23 24 to read: 25 26.58 Complex Litigation Division. --26 There is created within each judicial circuit 27 having a population greater than 1,250,000 a Complex 28 Litigation Division to be administered by the Supreme Court 29 and the chief judge of each participating circuit. The Supreme 30 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:

28.241 Filing charges for trial and appellate proceedings. --(6) The fees and service charges prescribed in this section do not include the service charge required by s. 26.58 for the establishment, maintenance, or supplementation of a complex litigation division. Section 3. This act shall take effect July 1, 2000. STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR SB 934 Assigns a new statute number, s. 26.58, F.S., to the bill. Adds a provision to the bill which requires the chief judge of each circuit to determine the amount of a service charge to pay for establishing, maintaining, and supplementing each complex litigation division. The service charge shall be added to the filing fee for cases in the complex litigation division and shall only be paid by the party or parties whose action is in that division. Adds a provision to the bill which amends s. 28.241, F.S., to reflect that the service charge required to be added to the filing fee for complex litigation division cases shall not be considered part of the filing fees subject to the limitations of s. 28.241, F.S.