

1 A bill to be entitled
 2 An act relating to pilot programs for specialized dispute
 3 resolution divisions; providing legislative findings
 4 relating to pilot programs of courts establishing
 5 specialized divisions for adjudication and resolution of
 6 complex business, corporate, and commercial disputes;
 7 providing an appropriation; providing for allocation of
 8 the appropriation to certain judicial circuits for certain
 9 purposes; providing an effective date.

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

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 13 Section 1. Pilot programs for adjudication and resolution
 14 of complex business, corporate, and commercial disputes.--The
 15 Legislature finds that:

16 (1) Complex business, corporate, and commercial disputes
 17 have tended to remain in the court system for extended periods
 18 of time, which has resulted in substantial costs to the
 19 litigants and to the court system as a whole and has caused
 20 delays in the resolution of these and other types of cases.

21 (2) Pilot programs establishing specialized divisions or
 22 sections of the circuit courts to process, manage, and
 23 adjudicate cases involving complex business, corporate, and
 24 commercial disputes have been established in January 2004 in the
 25 Ninth Judicial Circuit and in January 2007 in the Eleventh and
 26 Thirteenth Judicial Circuits through administrative orders
 27 entered by the chief judges in those circuits. The types of
 28 cases which have been referred to those courts have included

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29 non-consumer actions under the Uniform Commercial Code; actions
30 relating to internal affairs or governance between or among
31 shareholders, partners, or members of business entities;
32 purchases and sales of businesses or the assets of businesses;
33 franchisor-franchisee relationships; actions relating to trade
34 secrets or non-compete agreements; actions relating to business
35 torts, intellectual property, antitrust, director and officer
36 liability; shareholder derivative actions; and other actions of
37 a complex commercial nature.

38 (3) A high degree of case management is required to
39 efficiently and expeditiously handle, process, and resolve these
40 types of cases, including the handling of discovery disputes and
41 motion practice, which necessitates the use of more court
42 resources, including law clerks, case managers, special masters,
43 and technological resources.

44 (4) Requiring the diversion of resources and funds from
45 other court programs to these specialized circuit court
46 divisions or sections to allow them to efficiently and
47 expeditiously handle these types of cases would not serve the
48 public interest.

49 Section 2. The sum of \$ _____ in nonrecurring funds is
50 appropriated from the General Revenue Fund to the circuit courts
51 in the Ninth, Eleventh, and Thirteenth Judicial Circuits for the
52 2007-2008 fiscal year to be used to hire law clerks, case
53 managers, and special masters and provide technological
54 resources to assist in operating the pilot programs as
55 established through administrative orders by the chief judges in
56 those circuits. The appropriation shall be allocated as follows:

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57 | \$ to the Ninth Judicial Circuit; \$ to the Eleventh
58 | Judicial Circuit; and \$ to the Thirteenth Judicial
59 | Circuit.

60 | Section 3. This act shall take effect July 1, 2007.