

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 authorizing the Legislature to appropriate funds to
8 certain judicial circuits; providing for allocation of
9 appropriations to such judicial circuits; providing an
10 effective date.

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

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

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

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

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

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

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

50 Section 2. The Legislature may appropriate funds to the
51 circuit courts in the Ninth, Eleventh, and Thirteenth Judicial
52 circuits for the 2007-2008 fiscal year to be used to hire law
53 clerks, case managers, and special masters and provide
54 technological resources to assist in operating the pilot
55 programs as established through administrative orders by the
56 chief judges in those circuits. The appropriation shall be

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57 | allocated between the circuits as set forth in the General
58 | Appropriations Act.

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