

**AMENDED ORDER GOVERNING THE ASSIGNMENT OF
CASES INVOLVING TRUSTS**

WHEREAS, pursuant to Article V, Section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, to provide for efficient assignment of cases involving trusts, the implementation of procedures is necessary for the assignment of these cases to Divisions; and

WHEREAS, to better allocate the workload, trust cases which are not related to the pending administration of an estate are not well-suited for the Probate Division. Accordingly, the trust cases will be assigned among the Civil Subdivisions;

NOW, THEREFORE, I, Frederick J. Lauten, pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida, under Florida Rule of Judicial Administration 2.215, hereby order the following, **effective immediately**, to continue until further order and superseding any provisions in prior Administrative Orders which may be inconsistent:

1. All newly filed cases involving trusts, including qualifications, amendments, removal of trustees or suits by or against trustees, and including all newly filed trust cases where a jury trial has been demanded, shall be assigned by the Clerk of Court to the Civil Division.

2. All newly filed cases involving trusts that are related to the pending administration of an estate shall be assigned by the Clerk of Court to the Probate/Guardianship Division.

3. When assigning cases involving trusts among the Subdivisions within the Civil Division, the Clerk of Court shall follow the applicable procedures as established in the Administrative Orders currently in effect which govern assignment of cases.

4. If a trust has a primary component that deals with the valuation of a business or the statutory appraisal of stock of closely held companies, those will be considered for Business Court if referred by the assigned Judge.

5. Issues which may arise pertaining to the assignment of cases involving trusts shall be resolved by the Chief Judge or the Administrative Judge of the Circuit Civil Division. Nothing herein shall prevent the Chief Judge or the Administrative Judge of the Circuit Civil Division from transferring any case in the interest of judicial economy.

6. Administrative Order No. 2004-07 is vacated and set aside and has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED at Orlando, Florida, this 9th day of March, 2016.

_____/s/_____
Frederick J. Lauten
Chief Judge

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