

Supreme Court of Florida

AOSC08-96

IN RE: EMERGENCY REQUEST TO EXTEND TIME PERIODS
UNDER ALL FLORIDA RULES OF PROCEDURE FOR THE
SEVENTEENTH JUDICIAL CIRCUIT

ADMINISTRATIVE ORDER

WHEREAS on Sunday, November 30, 2008, a water pipe burst causing flooding, extensive damage to the telephone system, and severe water damage to court files, resulting in the closure of the Central Judicial Complex located at 201 SE 6th Street in Broward County in the Seventeenth Judicial Circuit of Florida; and

WHEREAS the Central Courthouse was reopened to the public on December 5, 2008, there was no access to the Clerk of the Courts county civil, county misdemeanor, and traffic offices, and limited access to the Clerk of the Courts circuit civil and circuit family offices resulting in limited ability to file new actions during the week of December 5, 2008; and

WHEREAS this situation also may have temporarily impeded the ability of attorneys, litigants, witnesses, jurors, and others in the performance of their duties and obligations with respect to many legal processes throughout the State of Florida;

THEREFORE, pursuant to the administrative authority conferred upon me by article V, section 2, of the Florida Constitution and Florida Rule of Judicial Administration 2.205(a)(2)(B)(iv),

IT IS ORDERED that:

1. In Broward County, all time limits authorized by rule and statute, including the speedy trial procedure, in criminal and juvenile proceedings are tolled from 5:00 p.m. on Friday, November 28, through 8:00 a.m. on Monday, December 15, 2008, *nunc pro tunc*.

2. In Broward County, all time limits authorized by rule and statute applicable to civil (inclusive of circuit and county), family, criminal, domestic violence, probate, traffic, and small claims proceedings are tolled from 5:00 p.m. on Friday, November 28, through 8:00 a.m. on Monday, December 15, 2008, *nunc pro tunc*.

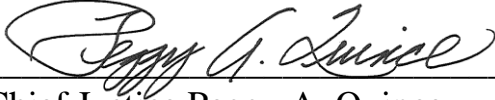
3. In Broward County, all time limits authorized by rule and statute applicable to notices of appeal of final and non-final orders, whether filed in the circuit or county court, are tolled from 5:00 p.m. on Friday, November 28, through 8:00 a.m. on Monday, December 15, 2008, *nunc pro tunc*.

4. This Court recognizes that there may be instances where, because of this situation, these and other time limits applicable to matters in Broward County could not be met even upon application of the tolling periods stated above. If such a claim is made, it shall be resolved by the court in which jurisdiction is vested on

a case-by-case basis when a party demonstrates that the lack of compliance with requisite time periods was directly attributable to this situation.

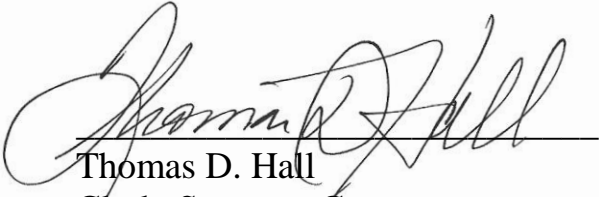
5. The Court also recognizes that matters outside Broward County may have also been affected by the court's closure. Consequently, the tolling of time periods in matters outside Broward County shall be permitted only when a party demonstrates that the lack of compliance with requisite time periods was directly attributable to the court's closure.

DONE AND ORDERED at Tallahassee, Florida, on December 17, 2008.



Chief Justice Peggy A. Quince

ATTEST:



Thomas D. Hall
Clerk, Supreme Court

