

PJ

PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
500 S Duval St
Tallahassee FL 32301-1900
(ph) 850.410.1523
(fax) 850.414.1342

From: P.J. Stockdale
Sent: Thursday, July 01, 2010 3:56 PM
To: Richard Callanan; Mike Bridenback
Cc: Kristine Slayden; Arlene Johnson
Subject: RE: ECONRECOV: Prototype of Foreclosure Case Tracking System

Rick,

Thanks for the quick response. The clerks in each county will be providing OSCA with a base list of pending foreclosure cases outstanding as of June 30, 2010. The OSCA will preload a set of workbooks for each circuit. Assuming the Court Statistics and Workload Committee signs off on the data plan, we expect to have the working data out to the circuits by 7/16.

I understand what you are saying, Rick. It is something we struggled with as we put this together. Coming up with something that will help those circuits that need it without hobbling the operations of other circuits has been quite a challenge. Of course, that is why we sent the workbooks out to you. Now is a good time for some feedback and discussion.

I look forward to hearing from you.

Thanks again
PJ

PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
500 S Duval St
Tallahassee FL 32301-1900
(ph) 850.410.1523
(fax) 850.414.1342

From: Callanan, Richard [REDACTED]
Sent: Thursday, July 01, 2010 3:10 PM
To: P.J. Stockdale; Mike Bridenback
Cc: Kristine Slayden; Arlene Johnson
Subject: Re: ECONRECOV: Prototype of Foreclosure Case Tracking System

PJ

Thank you for the chance to review and comment. Will the clerks or osca be providing the base list/excel file of pending cases? I am reviewing this with my IT, statistical reporting and civil folks and will get you comments next week.

As I mentioned to you, I understand the need for case status tracking to identify delayed cases and we have local MIS pending case reports from most clerks already to help track and move cases. I don't think having a case manager data enter this manually for 59000 cases is the best way to do this on case by case basis. That said we are looking at ways to pull the majority of these status codes from clerk database and will

20th Circuit - Integrity, Fairness, Service

On Jul 1, 2010 2:24 PM, P.J. Stockdale [REDACTED] wrote:

Mike, Rick,

Please find attached a copy of the Foreclosure and Economic Recovery Case Tracking System (fercts_devel_v10-8-1a.xls). We know it isn't a complete solution but I guess the first question we have is whether this application is workable to capture this data. The idea was to find some balance between the needs of small and large circuits. I would be most appreciative to hear your suggestions on how we might make this application more usable for the initiative staff. There are still a few minor bugs that we are working out but all the major components work. In order to meet our deadline to get the workbooks out to the circuits by 7/16, I will need to finalize the application by next Friday (7/9)

I've also attached a draft summary which contains a brief overview of the application and a list of the data captured along with their definitions. Mostly we used the standard SRS definitions. However, there are two fields, case status and reopen closed date that do not have SRS definitions. We have proposed a definition for these fields that we believe to be consistent with SRS that should help initiative staff complete the workbooks. Please take a look at these, particularly the one for reopen closed date. Does this seem to be a workable definition for this project?

Since this tracking application is based upon VBA macros, there are a few steps that need to be taken to get it installed and running. I've attached a set of installations instructions but you may want to have one of your IT people set it up. Please have your IT folks give me a call, if needed, and I'll go through it with them.

I look forward to hearing from you. Thanks

PJ

PJ Stockdale

Senior Court Statistics Consultant

OSCA - Court Services

Supreme Court Building Annex

500 S Duval St

Tallahassee FL 32301-1900

(ph) 850.410.1523

(fax) 850.414.1342

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by Symantec Mail Security for the presence of computer viruses.

www.symantec.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by Symantec Mail Security for the presence of computer viruses.

www.symantec.com

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by Symantec Mail Security for the presence of computer viruses.

www.symantec.com

Bridenback, Mike

From: P.J. Stockdale [REDACTED]
Sent: Tuesday, July 20, 2010 10:33 AM
To: Bridenback, Mike
Subject: Cir13: Foreclosure and Economic Recovery Case Tracking System
Attachments: 13_29Hillsborough_FERCTS.xls; FERCTS_Installation_Guide.pdf; FERCTS_Users_Guide.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Mike,

Please find attached the Foreclosure and Economic Recovery Case Tracking System (FERCTS) workbook for each county in your circuit. These workbooks have been pre-loaded with all non-disposed, reopened and pending cases as of June 30, 2010 as provided by the Clerks of Court for that county. We apologize for the delay in completing these workbooks for you. Since the Foreclosure Initiative began July 1, 2010, please update these workbooks to include all initiative activity beginning on July 1, 2010. Please email a copy of these workbooks to the OSCA on the 10th of each month. **Since we are late getting this to you and there is probably a lot of work being done initially, we are going to skip the first reporting cycle and ask that you provide your first submission on September 10, 2010.** Please see the attached FERCTS Users Guide for more information.

Since this tracking application is based upon VBA macros, there are a few steps that need to be taken to get it installed and running. I've attached a set of installations instructions to this email. However, each circuit has established different security procedures that could affect installation. You may want to have one of your IT people set the application up to ensure it works properly. Please have your IT folks give me a call, if needed, and I'll go through it with them. **Please note that if you only see a spreadsheet and not a data entry screen, the application may not have installed properly.**

Please do not hesitate to contact Court Services, Kris Slayden [REDACTED] or PJ Stockdale ([REDACTED]) if you have any questions or if we can be of any assistance.

Thanks
PJ

PJ Stockdale
Senior Court Statistics Consultant
OSCA - Court Services
Supreme Court Building Annex
500 S Duval St
Tallahassee FL 32301-1900
(ph) 850.410.1523
(fax) 850.414.1342

Bridenback, Mike

From: Bridenback, Mike
Sent: Friday, August 27, 2010 9:36 AM
To: Barbara Dawicke
Subject: RE: Foreclosure questions

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
www.fljud13.org



From: Barbara Dawicke [REDACTED]
Sent: Monday, August 23, 2010 10:52 AM
To: Trial Court Administrators
Subject: Foreclosure questions

Dear All:

If possible, please help me out with the following questions by responding by this Wednesday or Thursday (August 25th or 26th):

1. When a summary judgment is entered by the Court, it takes approximately how long before the information is docketed by the clerk? Varies but usually within a few days
2. In your circuit, is there a delay with the clerk holding the sales of the foreclosed properties? If so, what is that lag time? Sales are scheduled 4 to 6 weeks out from the final judgment date.
3. In your circuit, what is the time of sale to issuance of certificate of title? Do not know
4. In your circuit, is there a lag time with the docketing of other foreclosure documents (other than summary judgments) and if so, approximately how long does it take the docket to reflect the filing? Yes, but again it varies but usually within a few days. The greater problem is get the paperwork in the file before a hearing is scheduled.
5. What is the standard docket time for a newly filed foreclosure filing? We have an automated calendaring system which the attorney go online and schedule their hearings. We allow time for up to 150 cases per daily docket and we have 2 dockets each day. Our experience so far is the attorneys are not filling up the allotted time so our average number cases per docket is around 100.

Please be advised that Florida has a broad public records law, and all correspondence to me via email may be subject to disclosure. Under Florida records law (SB80 effective 7-01-06), email addresses are public records. If you do not want your email address released in response to a public

records request, do not send public records request to this entity. Instead, contact this office by phone or in writing.

Bridenback, Mike

From: Menendez, Manuel
Sent: Tuesday, August 31, 2010 3:32 PM
To: Bridenback, Mike
Subject: RE: 6th Circuit Mortgage Foreclosure Backlog Process

Did you talk to Gay? If not, please do so. WHY don't senior judges hear other than SJ motions?

From: Bridenback, Mike
Sent: Tuesday, August 31, 2010 3:18 PM
To: Menendez, Manuel
Cc: Rowland, Dave
Subject: 6th Circuit Mortgage Foreclosure Backlog Process

I found this description of the 6th circuit's backlog project on their website.

The foreclosure calendars will be presided over by senior judges, retired judges who have been certified by the State Supreme Court to fill in for sitting judges when needed. The goal is to schedule up to 100 summary judgment cases per day during twice-a-week sessions at each of four courthouses in the Circuit. A summary judgment hearing is the last step in the foreclosure process and clears the way for the property to be sold at auction. As more new cases are filed – currently at the rate of more than 500 a month in Pinellas County – it has become increasingly difficult for attorneys representing lenders to schedule summary judgment hearings.

The new calendars will be on Tuesdays and Thursdays in Dade City; on Tuesdays and Fridays in St. Petersburg; on Wednesdays and Thursdays in Clearwater; and Wednesdays and Fridays in New Port Richey. Dedicated phone lines have been set up for attorneys who have summary judgment motions ready to be heard: 352-521-4274, ext. 5867 in Dade City; 727-847-2411, ext. 7246 in New Port Richey; 727-464-3300 in Clearwater; and 727-582-7700 in St. Petersburg.

The senior judges will primarily hear summary judgment motions, McGrady said, pointing out that discovery and other preliminary motions will still be heard on the regular judicial calendars.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
www.fjud13.org



Melendi, Rick

From: Melendi, Rick
Sent: Monday, August 30, 2010 2:51 PM
To: Bridenback, Mike
Subject: Foreclosure - Case Tracking System

Mike,

I placed a copy of the Definitions section of the Foreclosure and Economic Recovery – Case tracking System Instructions in your chair. Please note: Inactivity – Attorney inactivity is not defined, nor are there any examples of what qualifies as Attorney inactivity.

The Current Case Status drop down box (which contains the nine (9) data options of which Attorney inactivity is one (1) option) is defined as: captures information on the state of a case as it relates to judicial Activity. Over broad categories, it identifies whether the court is actively working to resolve a case or whether the judicial action cannot be concluded due to extenuating circumstances.

Melendi, Rick

From: Melendi, Rick
Sent: Tuesday, August 24, 2010 12:17 PM
To: Kirby, David
Subject: RE: foreclosures

The cancellation of the sale does not impact a final judgment that has been entered. Remember, we count a case as disposed at the time of the entry of the Order of Summary/Final Judgment. Therefore, a cancellation of judicial sale has no impact. It is still treated as a disposed case.

Yes, you will count condo association cases.

Thanks for double checking.

From: Kirby, David
Sent: Tuesday, August 24, 2010 9:24 AM
To: Melendi, Rick
Subject: foreclosures

Rick,

I'm getting lots of Banner pages that state "Cancellation of Judicial Sale", and that's what I'm noting on the docket. Obviously, if a sale was scheduled, there was a final judgment. Does the cancellation of sale change that in any way?

Also, I've had a few cases in which the plaintiff is a condo association. Do we still count that?

Thanks,

David

Hickmon, Angelina

From: Melendi, Rick
Sent: Friday, December 10, 2010 4:28 PM
To: Hickmon, Angelina; Moreno, Elisa; Gammage, Trillany; Schatzberg, Beth
Cc: Wells, Tracy
Subject: Case Manager Rotation Coverage re: CMC Hearings

Ladies,

Below is the Section I & II case manager rotation coverage schedule (a.m./p.m.) for next week. Please feel free to make adjustments to the rotation coverage between your Section team member.

12/13/10

Angelina - a.m.

Elisa – p.m. * Section I has a.m./p.m. coverage due to Beth being out of the office.

12/14/10

Elisa/Angelina – a.m.

Beth/Trillany – p.m.

12/15/10

Angelina/Elisa - a.m.

Beth/Trillany – p.m.

12/16/10

Angelina/Elisa - a.m.

Beth/Trillany – p.m.

12/17/10

Beth/Trillany - a.m.

Beth/Trillany – p.m. *Section II has a.m./p.m. coverage to balance coverage provided by Section I on Monday, 12/13.

Hickmon,Angelina

From: Melendi, Rick
Sent: Tuesday, October 05, 2010 12:06 PM
To: Schatzberg,Beth; Hickmon,Angelina; Moreno,Elisa; Gammage,Trillany
Cc: Wells, Tracy
Subject: RE: Annotations of Daily Dockets

Please clarify what Strike- internal review mean? It would help if you provided me an example, situation or circumstance of when this annotation would be used.

From: Schatzberg,Beth
Sent: Tuesday, October 05, 2010 11:53 AM
To: Melendi, Rick; Hickmon,Angelina; Moreno,Elisa; Gammage,Trillany
Cc: Wells, Tracy
Subject: RE: Annotations of Daily Dockets

Based on the hearings held thus far, are we all good to write Strike – I/R (for internal review)?

Beth

From: Melendi, Rick
Sent: Monday, October 04, 2010 12:18 PM
To: Hickmon,Angelina; Moreno,Elisa; Gammage,Trillany; Schatzberg,Beth
Cc: Wells, Tracy
Subject: Annotations of Daily Dockets

Good Afternoon, Ladies:

This may be a regular annotating practice in which you have already been engaged in doing; but, just in case, I need for each of you to incorporate this into your daily case management practices and start annotating on the dockets all hearings that are cancelled - by whom and why, all hearing re-sets- by whom and why (if known), and all no-shows – who no showed attorney, respondent/defendant starting today in the p.m.

Thanks.

Moreno,Elisa

From: Melendi, Rick
Sent: Thursday, September 16, 2010 7:11 PM
To: Valdes,Ryan; Hickmon,Angelina; Moreno,Elisa; Sequeira, Maria; Gammage,Trillany; Schatzberg,Beth
Cc: Wells, Tracy
Subject: FW: Foreclosure motions

Please read the email below from Judge Barton to all Circuit Civil Judges and Judicial Assistants reminding them of the procedures for all motion scheduling in Sections I & II and the referrals of motions by the sr. judges to the original circuit civil division. Please note in red below, Judge Barton's directive regarding the referrals of motions made by the sr. judges back to the original division and the tagging of the files at the time of the hearing. As it relates to workflow processes, the case manager shall be responsible for tagging the file (noting the original division circuit civil by letter division via post-it note on the court file) in the courtroom at the time the referral is made by the sr. judge. The case managers shall also be responsible for delivering the tagged files to the originally assigned circuit civil divisions – judicial assistant immediately following the conclusion of the a.m. or p.m. docket.

If you should have any questions, please get with me.

Thank you.

From: Barton, James
Sent: Wednesday, September 15, 2010 4:59 PM
To: CIRCCIVJUD
Cc: CIRCCIVJA; Melendi, Rick
Subject: Foreclosure motions

Please make sure that, when an attorney's office calls to schedule a motion hearing in a residential foreclosure case (i.e., motions to dismiss, motions to strike, etc.), the attorney is told to schedule the hearing on JAWS with the appropriate foreclosure Section. If the motion has been referred by a Section senior judge back to the original circuit civil division judge because the motion is complex or for some other reason, the attorney should be told to set the matter on the original circuit civil division judge's calendar.

Mr. Melendi should inform the Section teams to tag the files where a senior judge refers a motion back to a regular division judge and to send those files to the division judge's JA.

Questions?

Moreno,Elisa

From: Melendi, Rick
Sent: Tuesday, July 06, 2010 4:37 PM
To: Schatzberg,Beth; Gammage,Trillany; Moreno,Elisa
Subject: FW: Keeping Track of Data!!

fyi

From: Melendi, Rick
Sent: Tuesday, July 06, 2010 2:09 PM
To: Hickmon,Angelina
Subject: Re: Keeping Track of Data!!

Angelina,

For now, just record the disposition of the case on the docket. At some point, the case managers will have to go back and enter the disposition data on an excel data tracking form. The uniform data tracking form is being developed at OSCA. I am told the circuits should have the form by July 16, 2010.

From: Hickmon,Angelina
To: Melendi, Rick
Sent: Tue Jul 06 13:53:30 2010
Subject: Keeping Track of Data!!

Good afternoon,

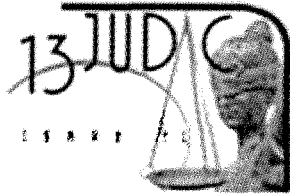
How did you want the case managers to keep track of the final judgments? Should we make an excel spreadsheet or just keep it on the printout of the docket?

Bridenback, Mike

From: Bridenback, Mike
Sent: Monday, June 21, 2010 3:57 PM
To: Snavelly Carla
Subject: RE: Meeting with Case Managers for new foreclosure process

Good idea. I am trying hard to meet the July 1 date. The prospects are thin.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
[REDACTED]
www.fljud13.org



From: Snavelly, Carla [REDACTED]
Sent: Monday, June 21, 2010 3:48 PM
To: Bridenback, Mike
Cc: Melendi, Rick
Subject: Meeting with Case Managers for new foreclosure process

Mike,
As soon as you have your staff for the new foreclosure division hired I would like to have our staff meet with them so they can discuss workflow. Please let me know when they are on board and I will have Jonna set a meeting.
Thanks Carla

Melendi, Rick

From: Nauman, Chris
Sent: Tuesday, November 30, 2010 9:00 AM
To: Melendi, Rick
Subject: FW: ACLU Request - Clarification of Item #4

From: Bridenback, Mike
Sent: Tuesday, November 23, 2010 7:17 PM
To: Rowland, Dave; Nauman, Chris; Melendi, Rick
Subject: Fwd: ACLU Request - Clarification of Item #4

Sent from my iPhone

Begin forwarded message:

From: "Laura Rush" <RushL@flcourts.org>
Date: November 23, 2010 5:55:35 PM EST
To: "Trial Court Administrators" <TrialCourtAdministrators@flcourts.org>
Cc: [REDACTED], "Berghorn, Robin" [REDACTED], "Lisa DeBrauwere" [REDACTED]
Subject: ACLU Request - Clarification of Item #4

All,

ACLU agreed to the following revision to request item #4:

All records of the judicial branch that concern planning, proposing, creating, reviewing, approving, revising or distributing training for general magistrates or senior judges to preside over foreclosure cases. This request includes, but is not limited to, any manuals or other training materials provided to general magistrates or senior judges assigned to preside over foreclosure cases.

This request is not intended to encompass logistical e-mail, e.g., committee meeting notices, but is intended to encompass records preceding final work products.

Sincerely,

Laura Rush

General Counsel

Office of the State Courts Administrator

500 South Duval Street

Tallahassee, FL 32399-1900

(850) 488-1824

Albury, Janice

From: Noll, Sharon
Sent: Thursday, June 24, 2010 12:39 PM
To: Albury, Janice
Subject: Re: Phones for Foreclosure Training

Thanks, Janice for the information...

From: Albury, Janice
To: Drake, Patricia
Cc: Noll, Sharon
Sent: Thu Jun 24 12:26:40 2010
Subject: RE: Phones for Foreclosure Training
Oh, I forgot that Judge Padgett will not be attending the meeting. He will be out of town. Everyone else said they would be here.

From: Drake, Patricia
Sent: Thursday, June 24, 2010 12:25 PM
To: Albury, Janice
Cc: Noll, Sharon
Subject: RE: Phones for Foreclosure Training

Thank you!

From: Albury, Janice
Sent: Thursday, June 24, 2010 12:23 PM
To: Drake, Patricia
Cc: Noll, Sharon
Subject: RE: Phones for Foreclosure Training

Attached is the July schedule. The two-week rotation won't start until August, but I don't have the schedule yet for August or beyond. All of the senior judges on rotation will be here on Monday, June 28 @ noon for a meeting with Judge Barton and Judge Arnold if you prefer to train them on that day since they are pretty scattered during the month of July. But I'll leave that all up to you.

From: Drake, Patricia
Sent: Thursday, June 24, 2010 12:16 PM
To: Albury, Janice
Subject: FW: Phones for Foreclosure Training

Do you have the foreclosure senior judge rotation list yet? If so, may I have a copy? If not, will you please send me a copy when ready? Thanks!!

From: Noll, Sharon
Sent: Thursday, June 24, 2010 9:01 AM
To: Drake, Patricia
Cc: Melendi, Rick
Subject: Phones for Foreclosure Training

Pat: One more thing, please make sure that we obtain a copy of the schedule for the senior judges that will be covering foreclosures. Until the secretaries are hired and fully trained on the phones, I need you to make sure that training is

coordinated for the judges as they rotate in (every two weeks), so that the judge coming in is familiar with the phones before they start hearings. Perhaps – if you already haven't – can make up an instruction sheet to leave with them along with the Help Desk number printed on it in case they have a problem. THANKS!

Hickmon,Angelina

From: Melendi, Rick
Sent: Thursday, October 14, 2010 11:40 AM
To: Moreno,Elisa; Hickmon,Angelina; Schatzberg,Beth; Gammage,Trillany
Cc: Greno, Linda
Subject: Foreclosure Hearing - Cancellations Today

Good Morning,

Please provide Mike Bridenback and myself via email the information requested below in 1) and 2) immediately following the conclusion of all hearings for today or at the latest 3:45 for both Section I and II.

- 1) The total number of hearings scheduled for today - a.m. /Pam. through JAWS; and,
- 2) The total number of hearings -cancelled prior to today's hearings including, those hearings cancelled at the time of the hearing.

Thank you.

Hickmon,Angelina

From: Greno, Linda
Sent: Tuesday, October 12, 2010 9:53 AM
To: Schatzberg,Beth; Gammage,Trillany; Sequeira, Maria; Hickmon,Angelina; Moreno,Elisa; Valdes,Ryan
Cc: Melendi, Rick
Subject: Defendant's Motions for Summary Judgment
Attachments: image001.jpg

Just a reminder that Motions for Summary Judgment filed by **Defendant's** are to be scheduled on the Friday motion day and all **Plaintiff's** Motions for Summary Judgment are set on the Monday – Thursday docket. Any questions, please let me know.

Valdes,Ryan

From: Melendi, Rick
Sent: Monday, October 11, 2010 12:22 PM
To: Valdes,Ryan; Sequeira, Maria
Subject: FW: Possible Fannie Mae Meeting in the 13th
Attachments: ccwebsig2.BMP

No attachment, see response directly below.

From: DEMELJR
Sent: Monday, October 11, 2010 11:59 AM
To: Melendi, Rick
Subject: RE: Possible Fannie Mae Meeting in the 13th

This is the only attachment?
It is a signature graphic

From: Melendi, Rick
Sent: Monday, October 11, 2010 10:33 AM
To: DEMELJR
Subject: FW: Possible Fannie Mae Meeting in the 13th

Jim,

Please convert attachment, so I can open same.

Thank you.

From: Melendi, Rick
Sent: Monday, October 11, 2010 8:48 AM
To: Sequeira, Maria
Subject: FW: Possible Fannie Mae Meeting in the 13th

Maria,

Please print this email for Judge Little to review.

Thanks.

From: Bridenback, Mike
Sent: Friday, October 08, 2010 6:50 PM
To: Melendi, Rick
Subject: Fwd: Possible Fannie Mae Meeting in the 13th

Check with the senior judges scheduled for next week to see if they would like to meet with the Fanne Mae rep.

Sent from my iPhone

Begin forwarded message:

From: "Ned Pope" <npope@collinscenter.org>
Date: October 7, 2010 6:01:27 PM EDT
To: "Bridenback, Mike" <bridenml@fljud13.org>
Subject: Possible Fannie Mae Meeting in the 13th

Mike,

I hope things are going well in Tampa.

Mike Hernandez, Fannie Mae VP, is making stops at different circuits to meet with judges regarding a new pre-filing foreclosure mediation program that Fannie Mae is about to engage in.

The basic premise of this process is to begin contacting delinquent borrowers at 65-75 days of delinquency with the hopes that outreach at a much earlier stage will prompt more participation in the program. Another key element of this process is the requirement that Fannie Mae is placing on the servicer to provide substantive loan modification and/or liquidation offers before mediation can begin. This way the mediation itself can be utilized to work towards a final agreement, as opposed to the "plans of action" that tend to result for the post filing program and often times get no follow-up directly from the servicer.

Other advantages to this process include: a more robust credit counseling component and document exchange, more interaction directly with the servicers on the loans, and lessening the requirements and activity of the foreclosure law firms.

As you know, the Supreme Court's recommended administrative order encourages pre-suit programs of this kind with the caveat that they substantially comply with the court's process model. Mr. Hernandez would like to review the process elements of the program with the appropriate judges in the 13th to get their input and suggestions on how to make sure they are fully compliant with the spirit of the local administrative order.

The Fannie Mae reps will be in Tampa next Wednesday and early Thursday morning if some of the civil judges, and/or the chief judge, are available. I'm happy to work with their JA's if you can point me in the right direction.

Thanks for your time, talk to you soon.

-Ned

Ned Pope

Vice President of Project Management and ADR Initiatives

Director, Mortgage Foreclosure Mediation Program

npope@collinscenter.org

www.collinscenter.org

2600 Centennial Place, Suite 201

Tallahassee, Florida 32308

Office: 850-219-0082 ex.106

Fax: 850-219-0491

Nauman, Chris

From: Rowland, Dave
Sent: Wednesday, December 15, 2010 10:15 AM
To: Nauman, Chris
Subject: FW: Court Access

From: Cash, Kim **On Behalf Of** Menendez, Manuel
Sent: Tuesday, December 14, 2010 3:16 PM
To: Rowland, Dave
Subject: FW: Court Access

From: Frank, Pat [<mailto:Frankp@hillsclerk.com>]
Sent: Tuesday, November 23, 2010 3:02 PM
To: ClerkEmp
Cc: Menendez, Manuel
Subject: Court Access

Today I received the copy of a letter addressed to the Chief Justice of the Supreme Court by our Chief Judge, Manuel Menendez, Jr. Judge Menendez was responding to a concern of the Florida Press Association that foreclosure case hearings were not being made available to the general public. As this relates to the 13th Circuit, Judge Menendez did a overview of the offices of the judges, clerks offices, sheriff's as well as the court administrator's office. In each case, he determined that no one from those offices has given advice that the foreclosure cases are closed to the general public.

In an abundance of caution, I am alerting you that no employee of the Clerk's office is authorized to deny the public the right to be present at any hearing or proceeding with the exemption of those cases which are statutorily exempt from public view, such as adoptions, waiver of notification of parental notice of abortion, juvenile matters, and others specified in the laws of Florida.

If you are asked by anyone if a hearing or proceeding is open to the public and you do not know, DO NOT GUESS. Refer that to your manager or the director of your department for a response.

I value greatly the importance of our office's accessibility to the public. We work for the citizens and the information which we handle must be easily available to the public, except in areas which I previously stated are determined by the legislature to be exempt.

If you have any information of someone advising a citizen contrary to this policy, please notify me immediately.

Thank you for your attention to this serious matter.

Pat

Wells, Tracy

From: Wells, Tracy
Sent: Tuesday, September 14, 2010 3:33 PM
To: Gammage, Trillany
Subject: File

Trillany,

Do not worry about that case file that I e-mail you about earlier. Beth took the file to Judy and she and Judge Arnold are going to hold it for the Attorney to overnight what it is missing and in turn they will follow-up and send the judgment packet out.

Thank you.

Tracy.

Bridenback, Mike

From: Thullbery, Heather
Sent: Thursday, June 10, 2010 12:15 PM
To: Bridenback, Mike
Subject: RE: foreclosures

Will do, we are getting pretty flooded with them....do you want yours right away too, as they come in? I will have the three interview times for you shortly, just waiting to hear back from them....

Heather Thullbery

Personnel Director
800 E. Twiggs Street, Suite 605A
Tampa, FL 33602
P: 813. 272-5477
F: 813. 301-3708

Website: www.fljud13.org



From: Bridenback, Mike
Sent: Thursday, June 10, 2010 9:37 AM
To: Thullbery, Heather
Subject: FW: foreclosures

Make sure you get the application to Judges Barton and Arnold asap and any new applications as they come in just automatically send to the judges.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
www.fljud13.org



From: Barton, James
Sent: Thursday, June 10, 2010 9:02 AM
To: CIRCCIVJUD
Cc: CIRCCIVJA; Bridenback, Mike; Melendi, Rick; Snavely Carla
Subject: foreclosures

We are in the final stages of designing the new residential foreclosure litigation plan, effective July 1. Here's an update:

1. Several applications have been received for the new case manager and JA positions. J. Arnold and I will be part of the hiring review process. Let me know if you want to participate.

2.The physical location of the two teams has been fixed: one team will be on the 5th floor with the judge and JA between J. Arnold and me and the case managers across the hall in the back section of the 5th floor library; the second team will be located on the 4th floor.

3.The clerk has agreed to immediately begin the hiring process for the new clerk positions. The clerk will also schedule two sales every day: one in the morning and one in the afternoon.

4.Our staff and the clerk's office have been working long and hard to make this procedure work. If you have specific questions or suggestions about any aspect of the plan, please let me know.

5.There's a meeting at 2 :00 pm today (Thursday) in my office with the clerk's office . Feel free to join us.

Bridenback, Mike

From: Bridenback, Mike
Sent: Monday, November 15, 2010 10:20 AM
To: Melendi, Rick
Subject: FW: Letter to Chief Justice Canady
Attachments: Ltr to Chief Justice Canady.FINAL.pdf

Importance: High

Let's discuss

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
[REDACTED]
www.fjud13.org



From: Menendez, Manuel
Sent: Monday, November 15, 2010 10:17 AM
To: Bridenback, Mike; Barton, James
Subject: FW: Letter to Chief Justice Canady
Importance: High

We made it first on the list of evil doers! We MUST train everyone who deals with the public to emphasize that our court proceedings are indeed OPEN to the public. Do we have a record of who took this alleged call, and who it was who called? I'd like advise the Chief Justice TODAY.

From: Lisa Goodner [REDACTED]
Sent: Monday, November 15, 2010 9:51 AM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: OSCA-MANAGERS
Subject: FW: Letter to Chief Justice Canady

FYI.

Lisa

From: Larry Schwartztol [REDACTED]
Sent: Friday, November 12, 2010 7:07 PM
To: Craig Waters
Subject: Letter to Chief Justice Canady

Craig,

I hope this email finds you well. As I mentioned earlier today, the ACLU is working with a coalition of organizations representing members of the Florida news media to protest barriers to access to foreclosure proceedings around the state of Florida. The attached letter will be delivered by UPS to the Chief Justice on Monday morning, and we expect to issue a

press release that afternoon. In order to give the Chief Justice advance notice, we wanted to send this to you now. If you wouldn't mind forwarding this to the Chief Justice, I would greatly appreciate it.

Best,

Larry

Larry Schwartzol | Staff Attorney

Racial Justice Program

The American Civil Liberties Union

125 Broad Street, 18th Floor | New York, NY 10004

Phone: 212-519-7849

This e-mail message is intended only for the named recipient(s) above, and may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

Hickmon,Angelina

From: Wells, Tracy
Sent: Tuesday, August 24, 2010 10:45 AM
To: Sequeira, Maria; Valdes,Ryan
Cc: Schatzberg,Beth; Hickmon,Angelina; Gammage,Trillany; Moreno,Elisa; Tracy, Deb; Pisacane, Elvira; Melendi, Rick
Subject: DAILY DOCKETS

ALERT!

All of you know that I am leaving on vacation today. In my absence, please leave the daily dockets (either at the end of each day or first thing in the morning) with the receptionist on the 6th floor of the Edgecomb.

The data entry team will pick those up daily from Alina.

Thank you.

From: Greno, Linda
Sent: Tuesday, July 27, 2010 10:34 AM
To: Gary, Angela
Subject: RE: ibiweb.exe

Perfect! Thank you so much. You need to show me how to do that!

From: Gary, Angela [REDACTED]
Sent: Tuesday, July 27, 2010 10:11 AM
To: Greno, Linda
Subject: ibiweb.exe

Linda,
There were 356 cases dismissed this month so far before hearing. I have attached the report in case you need the case number.
Please let me know if you need anything else.

Thank you
Angela L Gary
Angela L Gary
Manager
Circuit Civil Division
800 E Twiggs St Room 530
PO Box 989
Tampa FL 33601-0989
Phone # 813.276.8100 ext 3886
Fax # 813.272.5508
[REDACTED]

Wells, Tracy

From: Yanez, Nancy
Sent: Monday, November 08, 2010 10:20 AM
To: Tracy Wells
Subject: FW: Foreclosures

?

From: Noll, Sharon
Sent: Monday, November 08, 2010 10:17 AM
To: Yanez, Nancy
Subject: RE: Foreclosures

Maybe Tracy can since she is the lead on this and they can contact her or she can check with them when she is on the floor for foreclosures.....

From: Yanez, Nancy
Sent: Monday, November 08, 2010 10:16 AM
To: Noll, Sharon
Subject: RE: Foreclosures

We still need to figure out who is going to track the courtrooms. I don't even know how to look up the cases! We also need to come up with a schedule (maybe the next 3 months?...I'm just guessing) and double check it with the JAs. They need to be in the loop on the schedule so they don't schedule something in a courtroom and then we end up double booked.

From: Noll, Sharon
Sent: Monday, November 08, 2010 9:59 AM
To: Yanez, Nancy
Subject: RE: Foreclosures

Do you want to start tomorrow? Let me know what courtroom, if so. THANKS!

From: Yanez, Nancy
Sent: Friday, November 05, 2010 9:32 PM
To: Noll, Sharon
Subject: Re: Foreclosures

Let's figure it out Monday

Sent from my iPhone

On Nov 5, 2010, at 9:02 PM, "Noll, Sharon" <[REDACTED]> wrote:

They are ready – we just have to move the phone into whichever courtroom is going to be used. Rick said there were only 13 scheduled for Monday – he thought. Let me know if you want to start on Tuesday and which courtroom to start in.....

From: Yanez, Nancy
Sent: Friday, November 05, 2010 3:47 PM
To: Noll, Sharon
Subject: Re: Foreclosures

13TH CIR 01332

Too late for Mon. Let me know.

Sent from my iPhone

On Nov 5, 2010, at 3:46 PM, "Noll, Sharon" [REDACTED] wrote:

I KNOW THEY WERE WORKING ON IT YESTERDAY....LET ME CHECK WITH CAUSEY.....

From: Yanez, Nancy
Sent: Friday, November 05, 2010 3:28 PM
To: Noll, Sharon
Subject: RE: Foreclosures

Oh well

From: Noll, Sharon
Sent: Friday, November 05, 2010 3:14 PM
To: Yanez, Nancy
Subject: RE: Foreclosures

To which courtroom?

From: Yanez, Nancy
Sent: Friday, November 05, 2010 3:11 PM
To: Noll, Sharon
Subject: Foreclosures

You realize we were supposed to be moving those hearings this Monday?

Bridenback, Mike

From: Bridenback, Mike
Sent: Tuesday, January 12, 2010 8:34 AM
To: Barton, James
Subject: FW: Economic Default Recovery Effort
Attachments: Economic Default Recovery Effort.pdf; EconomicDefaultRecoveryEffort_Distribution.xls

It appears that we are getting funding. Let's discuss how you wish to proceed. Our response is due January 14.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
[REDACTED]
www.fljud13.org



From: Heather Thuotte-Pierson [REDACTED]
Sent: Monday, January 11, 2010 1:03 PM
To: Trial Court Administrators
Cc: Lisa Goodner; Sharon Buckingham; Kristine Slayden; Patty Harris; Theresa Westerfield; Arlene Johnson; Charlotte Jerrett; Greg Youchock; Elizabeth Garber
Subject: Economic Default Recovery Effort

TCA's –

As discussed at the December meeting, the TCBC is requesting non-recurring funding authority from the Legislature for an Economic Default Recovery Effort, which will be filed as a supplemental FY 2010/11 LBR issue. These funds will be used to provide temporary resources in the trial courts to eliminate backlog in several civil areas, including cases involving mortgage foreclosures, real property, contracts and indebtedness, and county civil valued from \$5,001 to \$15,000.

The funding methodology developed for this Effort is based on the number of backlogged cases (in the aforementioned civil areas) in each circuit. A ratio of one General Magistrate, one Case Manager and two Administrative Support positions for every 15,000 backlogged cases was applied to estimate need. One Administrative Support position is dedicated to mediation for the coordination of civil cases covered under this Effort with the exclusion of residential homestead mortgage foreclosure cases. The annual salaries used to calculate the allocation amounts were approximately: \$79,688 for General Magistrates, \$39,126 for Case Managers, and \$26,090 for Admin Support.

You will find the estimated allocation amount for your circuit in the attached PDF file - Economic Default Recovery Effort. Please indicate, using the attached Economic Default Recovery Effort _ Distribution spreadsheet, how you would like the funds for your circuit distributed – by category and element. For every element (General Magistrates, Case Managers, General Magistrate Admin Support and Mediation Admin Support) specify the dollar amount and category in which the funds should be allocated - OPS, contracted services and/or expenses dollars. To allow for maximum flexibility, funds may be expended in one or all of the elements. Also, funds dedicated to the General Magistrate element can be allocated as Senior Judge Days if preferred.

As usual we are under a tight timeframe for this Effort. Please respond by Thursday, January 14, C.O.B.

Please let me know if you have any questions or concerns.

Thanks,
Heather

Heather Thuotte-Pierson
Office of the State Courts Administrator
Court Statistics Consultant
(850) 410-3376


Bridenback, Mike

From: Bridenback, Mike
Sent: Monday, May 24, 2010 9:38 AM
To: Barton, James
Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

The extra word not was a senior moment typo.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800



www.fjud13.org

From: Barton, James
Sent: Monday, May 24, 2010 9:11 AM
To: Bridenback, Mike
Subject: RE: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Shouldn't we start lining up the senior judges now? I'm ready to start using them July 1.

From: Bridenback, Mike
Sent: Friday, May 21, 2010 3:31 PM
To: Barton, James ; Melendi, Rick
Cc: Thullbery, Heather
Subject: FW: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Our plan was approved. We can proceed with recruitment of the 4 court Program Specialist II's and 2 senior secretaries. Rick, you should not try to get commitments from senior judges. When we hear from the clerk about their resources, we will need to escalate our plans to get this program in place by July 1.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800



www.fjud13.org

From: Kristine Slayden
Sent: Friday, May 21, 2010 2:42 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Trial Court Budget Commission; Lisa Goodner; Charlotte Jerrett; Dorothy Wilson; Gary Phillips; Theresa Westerfield; Heather Thuotte-Pierson; Kristine Slayden; Sharon Bosley; Sharon Buckingham
Subject: Foreclosure and Economic Recovery Non-recurring Funding FY 2010/11

Chief Judges/Trial Court Administrators – The Trial Court Budget Commission met yesterday and approved the following 5 issues for the implementation of the Foreclosure and Economic Recovery Funding for FY 2010/11. Any adjustments to your circuit's plan based on these decisions need to be emailed to Dorothy Wilson at [REDACTED] by COB Tuesday, May 25th. Please refer to the bottom of this email for further submission instructions.

Please note that the allocations will be provided to the Chief Justice and the Legislature for final approval.

Issue 1: FY 2010/11 Funding Allocations Approved

- 1) Approved the FY 2010/11 circuit allocations for the Foreclosure and Economic Recovery Funding, with an adjustment to the contracted services category for case management and administrative support for the 10th, 12th, and 15th circuits (due to restrictions with using contractual dollars). The revised allocation chart is attached.
- 2) Approved effective date for the implementation of the circuits' plans so resources can be deployed on July 1, 2010, using existing FY 2009/10 funds for advertising if necessary.

Issue 2: Types of Cases and Disposition Goals Approved

- 1) Approved real property/mortgage foreclosure cases as the focus of this initiative. If a circuit has cleared all real property/mortgage foreclosure cases from backlog, the circuit may request in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator, asking to use the funds to handle contracts and indebtedness cases, and county civil cases valued from \$5,001 to \$15,000.
- 2) Approved a targeted goal for the disposition of backlog cases of 62%, which corresponds to the reduction in funding (\$9.6 million proposal reduced down to \$6.0 million appropriation is a 38% reduction).

The attached chart indicates the targeted backlog reduction for the **estimated** Real Property/Mortgage Foreclosure backlog cases for each circuit. The actual number of backlog cases will need to be produced at the beginning of the initiative for tracking purposes.

Issue 3: Budget Policy Considerations Approved

- a) In order to comply with legislative intent, any expenditure of any type utilizing this funding is strictly limited to direct support of the backlog reduction of the approved case types listed in Issue 2.
- b) In order to ensure that senior judges who are assigned to the Foreclosure and Economic Recovery initiative are paid with the appropriate funds, the current senior judge application will be modified to allow circuits to specify from which funding source the senior judge should be paid. The Trial Court Administrators are responsible for ensuring that the information is reported properly.
- c) Expenditures from the Expense category are limited to intra-circuit travel for staff, intra- and inter-circuit travel for Senior Judges, consumable office supplies, postage, copying, printing and reproduction. To maximize the Expense allotment, circuits are encouraged to use existing resources or surplus furnishings for any office furniture needs for OPS staff and/or Senior Judges. Subscriptions and the like are not allowable expenditures for this funding, neither are computers or other communication devices as those items are a county funding responsibility.
- d) A contingency for the Expense category was approved in the original proposal and factored into the appropriated amount. In order to access these contingency funds, a circuit must have exhausted its Foreclosure and Economic Recovery Expense allotment. Requests for additional Expense are to be made in writing to the TCBC Chair, with a copy to the TCBC Budget Management Committee Chair, and to the State Courts Administrator. The request must provide a complete, detailed explanation of how Expense funding came to be

exhausted, what steps were taken to alleviate the impending shortfall, the amount requested and how that amount was calculated.

Issue 4: Funding/Plan Monitoring Approved

- a. The Budget Management Committee (BMC) will monitor expenditures on a monthly basis to ensure that resources are only being used for the purpose of backlog reduction for the approved case types. In addition, the BMC will monitor case event data to ensure that expenditures correlate with the TCBC approved activities.
- b. The Supreme Court Inspector General will also be reviewing the Foreclosure and Economic Recovery initiative for potential inclusion in the branch’s FY 2010/11 audit plan.

Issue 5: Clerk Assistance Approved

Information on in-courtroom resources (general magistrates and senior judges) that will be assigned in each county and the maximum number of courtrooms that will be scheduled at any one time in each county will be shared with clerks once it has been finalized (see attached chart – please update this information, if needed). The chief judge in each circuit should work with their clerks to ensure the clerks appropriately support their plan. These plans need to be shared with the Office of the State Courts Administrator so that the legislature can be informed of the collaborative work on this issue. In addition, the TCBC approved the requirement that the clerks of court provide data support for this initiative.

Two other issues on performance measurement and FY 2011/12 Legislative Budget Request were postponed until the June 4th TCBC meeting.

Directions:

If the decisions above require you to modify your plan allocations, please make the adjustments and notify Dorothy Wilson of the specific changes to the allocation categories by email at [REDACTED] by COB, Tuesday, May 25, 2010. If no changes are needed, please indicate that in an email to Dorothy. In addition, if any changes in your allocations require a revision to the in courtroom resources, please provide that information also.

Listed below are the job classes and hourly rates for OPS positions that were used in the original proposal for the Foreclosure and Economic Recovery Funding. The TCBC approved the circuit allocations with direction to the circuits that they hire within these guidelines.

<u>Element</u>	<u>Position</u>	<u>Maximum rate</u>
Magistrates:	Magistrate	\$35.48 hourly
Case Management:	Court Program Specialist II	\$17.36 hourly
	Court Program Specialist I	\$14.58 hourly
	Court Program Specialist I	\$15.40 hourly w/ CAD – Hillsborough and Pinellas
	Court Program Specialist I	\$15.40 hourly w/ CAD – Broward, Dade, Monroe, Palm Beach
Admin. Support:	Senior Secretary	\$11.89 hourly
	Senior Secretary	\$12.10 hourly w/ CAD – Hillsborough and Pinellas
	Senior Secretary	\$12.48 hourly w/ CAD – Broward, Dade, Monroe, Palm Beach

This amount does not include the 7.65% FICA that needs to be added to the hourly rate.

Lastly, some circuits have already developed plans and position descriptions for the implementation of this initiative. You may want to check with our colleagues if you need some assistance in developing your own plan.

Please let me know if you have any questions. Kris

Kris Slayden
Research and Data
Office of the State Courts Administrator
Florida Supreme Court
500 S. Duval Street
Tallahassee, Florida 32399
850-922-5106 (wk)
850-556-2335 (cell)
850-414-1342 (fax)

Bridenback, Mike

From: Bridenback, Mike
Sent: Friday, June 18, 2010 2:14 PM
To: Snavelly Carla
Cc: Yanez, Nancy
Subject: 2nd Floor Training Room

You may schedule the foreclosure sales in this room next to the jury assembly room as a part of the mortgage foreclosure backlog project. Please send me your anticipated sales schedule whenever you get a chance. Unless you notify me otherwise, I am assuming the room will not be available of other uses during the time the project is in place.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800



www.fjud13.org

Bridenback, Mike

From: Melendi, Rick
Sent: Monday, October 11, 2010 3:52 PM
To: Bridenback, Mike
Subject: FW: Cancelled Hearings

fyi

From: Schatzberg,Beth
Sent: Monday, October 11, 2010 3:51 PM
To: Melendi, Rick
Cc: Gammage,Trillany
Subject: RE: Cancelled Hearings

We had a total of 35 cases cancelled for today's hearings

From: Melendi, Rick
Sent: Monday, October 11, 2010 1:47 PM
To: Schatzberg,Beth
Subject: RE: Cancelled Hearings

Please do I have a deadline to meet with the media today at 4:00 p.m., as to the total number of cancellations.

From: Schatzberg,Beth
Sent: Monday, October 11, 2010 1:44 PM
To: Melendi, Rick
Cc: Gammage,Trillany
Subject: RE: Cancelled Hearings

There are more hearings scheduled for this afternoon – both telephonic & non-telephonic. We will keep you posted as the time goes by.

From: Melendi, Rick
Sent: Monday, October 11, 2010 1:41 PM
To: Schatzberg,Beth
Subject: RE: Cancelled Hearings

So, this is a total of 33 a.m. and p.m. cancelled hearings? Will you have additional p.m. cancellations today at the time of the telephonic hearing?

From: Schatzberg,Beth
Sent: Monday, October 11, 2010 1:38 PM
To: Melendi, Rick
Cc: Gammage,Trillany
Subject: RE: Cancelled Hearings

On JAWS – we had 27 cases cancelled prior to today. On this morning's docket, we had 5 cancellations & 1 cancelled @ 1:30.

Beth

From: Melendi, Rick
Sent: Monday, October 11, 2010 1:04 PM
To: Schatzberg,Beth
Subject: RE: Cancelled Hearings

Yes, the hearings on today's morning docket and today's afternoon docket.

Thank you.

From: Schatzberg,Beth
Sent: Monday, October 11, 2010 12:48 PM
To: Melendi, Rick
Subject: RE: Cancelled Hearings

Do you mean the hearings scheduled for today's docket?

From: Melendi, Rick
Sent: Monday, October 11, 2010 12:22 PM
To: Moreno,Elisa; Hickmon,Angelina; Schatzberg,Beth; Gammage,Trillany
Subject: Cancelled Hearings

Please provide me the total number of hearings cancelled this morning asap. Also, I will need the total number of hearings canceled by 3:30; 3:45 at the latest.

Thank you.

Bridenback, Mike

From: Melendi, Rick
Sent: Tuesday, October 19, 2010 1:44 PM
To: Bridenback, Mike
Subject: RE: Foreclosure Information

I'm going to send her the two days of cancellation numbers we provided to the Tribune.


From: Bridenback, Mike
Sent: Tuesday, October 19, 2010 1:28 PM
To: Melendi, Rick
Subject: FW: Foreclosure Information

fyi

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800

www.fjud13.org



From: Kristine Slayden 
Sent: Tuesday, October 19, 2010 1:23 PM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Lisa Goodner; Laura Rush; P.J. Stockdale; Arlene Johnson
Subject: Foreclosure Information

Chief Judges/Trial Court Administrators – As a follow up to the JAC conference call yesterday, we would like to request any information you can provide on the cancellations of hearings or suspension of foreclosure cases by the plaintiff. You can either send summary information by email, case specific information in a spreadsheet or you can provide information in the comment section of the existing Foreclosure Case Tracking application. Please note, in order to determine the magnitude of the cancellation, we need to know total number of hearing scheduled. We will compile the data and attempt to quantify a statewide estimate of the impact. Please contact me if you have any questions. Thank you. Kris

Kris Slayden
Research and Data
Office of the State Courts Administrator
Florida Supreme Court
500 S. Duval Street
Tallahassee, Florida 32399
850-922-5106 (wk)
850-556-2335 (cell)
850-414-1342 (fax)

Bridenback, Mike

From: Bridenback, Mike
Sent: Sunday, April 25, 2010 7:06 PM
To: Charlotte Jerrett
Subject: Re: Re: RE:

Thanks hang in there. I feel for you.

Sent from my iPhone

On Apr 25, 2010, at 6:55 PM, "Charlotte Jerrett" [REDACTED] wrote:

6M for economic recovery

Clerks got 3.6M for economic recovery

No word on pay yet. We are closed out but they are still working on higher ed and healthcare.
Will continue meeting through midnight tonight.

-- Sent from my Palm Pre

On Apr 25, 2010 2:19 PM, Bridenback, Mike [REDACTED] wrote:

Any updates?

Sent from my iPhone

On Apr 23, 2010, at 5:13 PM, "Charlotte Jerrett" [REDACTED] wrote:

> Sure. I'll keep you posted. No news on pay issues.

>

> -----Original Message-----

> From: Bridenback, Mike [REDACTED]

> Sent: Friday, April 23, 2010 5:02 PM

> To: Charlotte Jerrett

> Subject: Re:

>

> Thanks for the update

>

> Sent from my iPhone

>

> On Apr 23, 2010, at 5:01 PM, "Charlotte Jerrett"

> [REDACTED] wrote:

>

>> Hey -

>>
>>
>>
>> Still no movement on the economic recovery issue. Have a good
>> weekend,
>>
>> C.
>>
>>
>>
>> Charlotte Jerrett
>>
>> Administrative Services Division
>>
>> Office of the State Courts Administrator
>>
>> (850) 488-9922
>>
>> (850) 488-3744 fax
>>
>>

Bridenback, Mike

From: Snavely, Carla [REDACTED]om]
Sent: Tuesday, July 20, 2010 1:34 PM
To: Bridenback, Mike
Subject: RE: Cir13: Foreclosure and Economic Recovery Case Tracking System

I will let you know. C

Carla S. Snavely

Chief Deputy of Court Operations
Clerk of the Circuit Court
(813) 276-8100 Ext. 6100

From: Bridenback, Mike [REDACTED]
Sent: Tuesday, July 20, 2010 11:18 AM
To: Snavely, Carla
Subject: Fwd: Cir13: Foreclosure and Economic Recovery Case Tracking System

Please review and let me know how you may be able help the court with this reporting requirements.

Sent from my iPhone

Begin forwarded message:

From: "P.J. Stockdale" [REDACTED]
To: "Bridenback, Mike" <[REDACTED]>
Subject: Cir13: Foreclosure and Economic Recovery Case Tracking System

Mike,

Please find attached the Foreclosure and Economic Recovery Case Tracking System (FERCTS) workbook for each county in your circuit. These workbooks have been pre-loaded with all non-disposed, reopened and pending cases as of June 30, 2010 as provided by the Clerks of Court for that county. We apologize for the delay in completing these workbooks for you. Since the Foreclosure Initiative began July 1, 2010, please update these workbooks to include all initiative activity beginning on July 1, 2010. Please email a copy of these workbooks to the OSCA on the 10th of each month. Since we are late getting this to you and there is probably a lot of work being done initially, we are going to skip the first reporting cycle and ask that you provide your first submission on September 10, 2010. Please see the attached FERCTS Users Guide for more information.

Since this tracking application is based upon VBA macros, there are a few steps that need to be taken to get it installed and running. I've attached a set of installations instructions to this email. However, each circuit has established different security procedures that could affect installation. You may want to have one of your IT people set the application up to ensure it works properly.

Please have your IT folks give me a call, if needed, and I'll go through it with them. Please note that if you only see a spreadsheet and not a data entry screen, the application may not have installed properly.

Please do not hesitate to contact Court Services, Kris Slayden ([REDACTED]) or PJ Stockdale ([REDACTED]) if you have any questions or if we can be of any assistance.

Thanks

PJ

PJ Stockdale

Senior Court Statistics Consultant

OSCA - Court Services

Supreme Court Building Annex

500 S Duval St

Tallahassee FL 32301-1900

(ph) 850.410.1523

(fax) 850.414.1342

Melendi, Rick

From: Bridenback, Mike
Sent: Thursday, November 04, 2010 11:00 AM
To: Melendi, Rick
Subject: RE: 13th Circuit's Clarification Request re: ACLU Public Record Request

Ok to send

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
bridenml@fjud13.org
www.fjud13.org



From: Melendi, Rick
Sent: Thursday, November 04, 2010 10:56 AM
To: Bridenback, Mike
Subject: 13th Circuit's Clarification Request re: ACLU Public Record Request

Mike,

Attached is a draft of our clarification questions for records by the ACLU. Please review same and let me know if you have any additional clarifying questions, revisions or deletions. Chris has reviewed the draft and believes it covers everything we discussed.

Laura,

As a follow up to our meeting of yesterday regarding the ACLU Public Records Request, the 13th circuit would request clarification of the following:

1. Clarification as to whether the ACLU request for all records from January 1, 2009 to present (October 19, 2010) includes, all foreclosure records unrelated to the circuit's Residential Mortgage Foreclosure Project?
2. Clarification of paragraph 2 of the request, as to what is meant in regard to all records relating to rules, procedures and practices established to manage, adjudicate or dispose of foreclosures cases? More specifically, provide us examples of records the ACLU believes relate to rules, procedures and practices established to manage, adjudicate or dispose of foreclosures cases? Further, clarify whether the records requested include all records relating to rules, procedures and practices established to manage, adjudicate or dispose of foreclosures cases from January 1, 2009 to present (October 19, 2010), or all records post establishment of the circuit's Residential Mortgage Foreclosure Project?
3. Clarification of paragraph 3 of the request, as to the definition of the term clerk?
4. Clarification of paragraph 5, as to all records, citing an example, as to rules relating to the governing of public access to civil proceedings including, public access to proceedings in foreclosures cases? Also, specifically,

clarification as to whether the request includes all records from January 1, 2009 to present (October 19, 2010) regarding public access, or public access post the establishment of the circuit's Residential Mortgage Foreclosure Project?

Melendi, Rick

From: Melendi, Rick
Sent: Thursday, September 16, 2010 7:11 PM
To: Valdes,Ryan; Hickmon,Angelina; Moreno,Elisa; Sequeira, Maria; Gammage,Trillany; Schatzberg,Beth
Cc: Wells, Tracy
Subject: FW: Foreclosure motions

Please read the email below from Judge Barton to all Circuit Civil Judges and Judicial Assistants reminding them of the procedures for all motion scheduling in Sections I & II and the referrals of motions by the sr. judges to the original circuit civil division. Please note in red below, Judge Barton's directive regarding the referrals of motions made by the sr. judges back to the original division and the tagging of the files at the time of the hearing. As it relates to workflow processes, the case manager shall be responsible for tagging the file (noting the original division circuit civil by letter division via post-it note on the court file) in the courtroom at the time the referral is made by the sr. judge. The case managers shall also be responsible for delivering the tagged files to the originally assigned circuit civil divisions – judicial assistant immediately following the conclusion of the a.m. or p.m. docket.

If you should have any questions, please get with me.

Thank you.

From: Barton, James
Sent: Wednesday, September 15, 2010 4:59 PM
To: CIRCCIVJUD
Cc: CIRCCIVJA; Melendi, Rick
Subject: Foreclosure motions

Please make sure that, when an attorney's office calls to schedule a motion hearing in a residential foreclosure case (i.e., motions to dismiss, motions to strike, etc.), the attorney is told to schedule the hearing on JAWS with the appropriate foreclosure Section. If the motion has been referred by a Section senior judge back to the original circuit civil division judge because the motion is complex or for some other reason, the attorney should be told to set the matter on the original circuit civil division judge's calendar.

Mr. Melendi should inform the Section teams to tag the files where a senior judge refers a motion back to a regular division judge and to send those files to the division judge's JA.

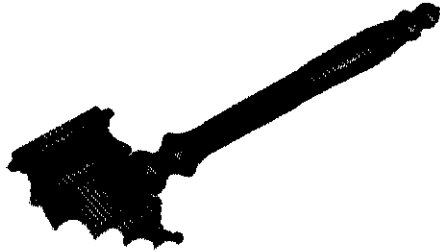
Questions?

Melendi, Rick

From: Melendi, Rick
Sent: Monday, September 13, 2010 11:03 AM
To: Snavely Carla
Subject: Accepted: FORECLOSURES

I will check with Mike regarding his availability. I think it is important that he understands the data reporting challenges faced by both our offices.

Thanks.



JAWS

Judicial Automated Workflow System
Thirteenth Judicial Circuit of Florida

Log In

User Name:

Password:

Remember me next time.

[Log In](#)

[New user? Click here to register.](#)
[Forgot Password?](#)

Residential Mortgage Foreclosures

Section I and Section II – Residential Mortgage Foreclosure Hearings/JAWS Scheduling

Scheduling of all matters pertaining to a Residential Mortgage Foreclosure action in **General Civil Divisions – A, B, C, D & F** will be scheduled in **Section I** and **General Civil Divisions – G, H, I, J & K** will be scheduled in **Section II** of the JAWS scheduling application.

Non-Telephonic Hearing Locations, Telephonic Hearing Phone Numbers and Contact Information

Section I

Non-Telephonic foreclosure hearings:

Judicial Office, Suite 513
Office Suite Phone Number:
(813) 272-8572

Telephonic foreclosure hearings:
(813) 272-8575

Mail Address:
Edgecomb Courthouse
800 E. Twiggs St., Room 513
Tampa, FL 33602

Email Address:
sectionIrmf@fljud13.org

Section II

Non-Telephonic foreclosure hearings:

Courtroom 409
Office Phone Number:
(813) 272-5121

Telephonic foreclosure hearings:
(813) 272-8581

Mail Address:
Edgecomb Courthouse
800 E. Twiggs St., Room 422
Tampa, FL 33602

Email Address:
sectionIIrmf@fljud13.org

How To

New to the JAWS scheduling system?

[...read more](#)

Notice

The unauthorized use of the Judicial Automated Workflow System ("JAWS"), including but not limited to providing false or misleading information for the purpose of obtaining access to JAWS or utilizing the user name and password of a registered JAWS user without the user's permission is strictly prohibited and a criminal violation of The Florida Computer Crime Act and section 815.06, Florida Statutes. A violation of section 815.06, Florida Statutes, is punishable as a felony and any computer, computer system, computer network, computer software, or computer data owned by a violator which is used during the commission of any violation of section 815.06, Florida Statutes, is subject to forfeiture.

Helpdesk Support: 813-272-6513 | [FAQ](#)
Copyright 2010 by the Thirteenth Judicial Circuit, Hillsborough County

Melendi, Rick

From: Barton, James
Sent: Monday, November 22, 2010 12:22 PM
To: Melendi, Rick
Subject: RE: here's something for your review-

Reading complete

From: Melendi, Rick
Sent: Friday, November 19, 2010 2:36 PM
To: Menendez, Manuel; Bridenback, Mike; Barton, James
Subject: FW: here's something for your review-
Importance: High

fyi – please read email chain.

From: Schatzberg, Beth
Sent: Friday, November 19, 2010 2:31 PM
To: Melendi, Rick
Subject: here's something for your review-

We had a case on the 2:00 docket today (def's motion to dismiss w/ embedded memorandum) where the def. counsel advised the defendant not to attend because the court has "no room". Judge Gomez asked the atty if in fact he did state that he said that he did not. Judge Gomez ruled that it be continued and to reschedule it with Mr. Lopez attending.

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 1:07 PM
To: Schatzberg, Beth
Subject: RE: 12/3/10

She'll be there. Thank you.

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg, Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 12:01 PM
To: Gonzalez, Ronald
Subject: RE: 12/3/10

Now I know who you are talking about- tell her to come on!!

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 11:59 AM
To: Schatzberg, Beth
Subject: RE: 12/3/10

Yep! For Judge Foster.

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 11:53 AM
To: Gonzalez, Ronald
Subject: RE: 12/3/10

Is she a clerk here?

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 11:52 AM
To: Schatzberg,Beth
Subject: RE: 12/3/10

Yep!

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 11:51 AM
To: Gonzalez, Ronald
Subject: RE: 12/3/10

Sonia is Jose Lopez's daughter?

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 11:45 AM
To: Schatzberg,Beth
Subject: RE: 12/3/10

OK. It's Sonia's father. Sonia is going down at 2pm.

Thank you,

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 11:38 AM

To: Gonzalez, Ronald
Subject: RE: 12/3/10

The defendant can absolutely be there – it is open and all is welcome!

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 11:36 AM
To: Schatzberg,Beth
Subject: RE: 12/3/10

The paralegal for Kerry Adams.

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 11:24 AM
To: Gonzalez, Ronald
Subject: RE: 12/3/10

Who is the def atty that is saying that?

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 10:53 AM
To: Schatzberg,Beth
Subject: RE: 12/3/10

Question, Can a def be in the court for a telephonic hearing? We have a 2pm case today and the def attorney is telling him he cannot go due to no room.

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Friday, November 19, 2010 10:28 AM
To: Gonzalez, Ronald
Subject: RE: 12/3/10

Sounds like a personal problem to me!!

From: Gonzalez, Ronald [<mailto:ronald.gonzalez@hillsclerk.com>]
Sent: Friday, November 19, 2010 10:22 AM
To: Schatzberg,Beth
Subject: 12/3/10

Is the other view for 12/03/10 available? We you those to put in the slugs that go back on the shelf.

Ron Gonzalez
Circuit Civil Division
Edgecomb Courthouse
800 E. Twiggs Street Rm 530
Tampa, FL 33602
Telephone (813) 276-8100 Ext. 4883

Melendi, Rick

From: Bridenback, Mike
Sent: Wednesday, November 17, 2010 8:33 AM
To: Barton, James ; Melendi, Rick
Subject: FW: Mortgage Foreclosure Proceedings
Attachments: Memo to Chief Judges re Mortgage Foreclosure Proceedings.pdf; Letter to Florida Press Assn et al.pdf

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
bridenml@fjud13.org
www.fjud13.org

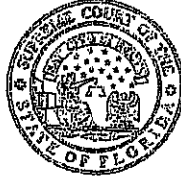


From: Debbie Howells [<mailto:howellsd@flcourts.org>]
Sent: Wednesday, November 17, 2010 8:03 AM
To: Trial Court Chief Judges
Cc: Trial Court Administrators; Lisa Goodner; Blan Teagle; Laura Rush; Kristine Slayden; Brenda Johnson; Judge John Laurent
Subject: Mortgage Foreclosure Proceedings

Please see the attached memorandum from Chief Justice Canady regarding mortgage foreclosure proceedings.

Also attached is a copy of Chief Justice Canady's letter to The Florida Press Association.

Debbie Howells
Office of the State Courts Administrator
500 S. Duval Street
Tallahassee, FL 32399-1900
Phone 850-922-4370
Fax 850-488-0156
Email howellsd@flcourts.org



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
RICKY L. POLSTON
JORGE LABARGA
JAMES E.C. PERRY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

KEVIN WHITE
ACTING MARSHAL

MEMORANDUM

TO: Chief Judges of the Circuit Courts

FROM: Chief Justice Charles T. Canady *CTC*

DATE: November 17, 2010

SUBJECT: Mortgage Foreclosure Proceedings

Enclosed for your review and action is a letter dated November 12, 2010, that I received from the Florida Press Association and other organizations. The letter alleges that in some instances, members of the public and/or press either have been advised that they cannot attend mortgage foreclosure proceedings or have been prevented from attending such proceedings.

As the chief administrative officer of the Florida judicial branch, I am directing all chief judges to examine the current practices within their respective circuits to ensure that those practices are entirely consistent with the constitutional, statutory, procedural rule, and case law requirements of this state regarding the presumption that state court proceedings are open to the public.

I also ask that you communicate with all judges and court staff in your circuit to remind them of the relevant provisions relating to open court proceedings. It is important for you to communicate with the clerks of court and bailiffs within your circuit as well to ensure that those offices provide any visitors

Chief Judges of the Circuit Courts
November 17, 2010
Page Two

or callers with the correct information about attendance at mortgage foreclosure or other court proceedings.

I would also like to take this opportunity to clarify the Supreme Court's understanding of the goals of the Foreclosure and Economic Recovery Funding Initiative, which was partially funded by the Legislature during the 2010 Legislative Session. I have reviewed Judge John Laurent's memorandum of October 28, 2010, a copy of which is attached and incorporated herein by reference. I agree with his description of the 62-percent goal established by the Trial Court Budget Commission as a means to help measure the court system's progress in the initiative and to document how the appropriation for the foreclosure initiative is being spent. There is no reason why the 62-percent goal should interfere with a judge's ability to adjudicate each case fairly on its merits. Each case must be adjudicated in accordance with the law.

Thank you for your ongoing efforts to appropriately administer and resolve the avalanche of mortgage foreclosure cases that have been overwhelming the court system during the past few years. I recognize that the challenge you face in assuring that these cases are resolved properly is unprecedented. I am confident that with the cooperation of all judges and court staff—along with the tools of the revised rules of court procedure, implementation of the managed mediation program, and the influx of court resources through the Foreclosure and Economic Recovery Funding Initiative—the Florida courts will be able to meet this challenge in a manner that protects and preserves the rights of all parties as well as interested observers.

CTC/LG/dgh

Enclosures

cc: Trial Court Administrators



Florida Press Association
336 E. College Avenue, Suite 203
Tallahassee, FL 32301
(850) 521-1199
Fax (850) 577-3629

Chief Justice Charles T. Canady
Florida Supreme Court
500 South Duval Street
Tallahassee, FL 32399-1925

November 12, 2010

Dear Chief Justice Canady,

We write to express our concern that the right to open access to judicial proceedings is being unduly impeded in foreclosure proceedings around the state. Our organizations have received numerous reports that extraordinary barriers to access are preventing members of the general public, as well as representatives of the news media, from observing foreclosure proceedings in judicial circuits around the state. We believe these barriers undercut the transparency of the judicial process; they also violate the strong presumption of open access to judicial proceedings under Florida law. We urge you to take action to secure the public's right to observe the workings of the judicial system.

As you know, Florida law recognizes a strong presumption in favor of open access to judicial proceedings. We have no objection, of course, to ordinary security screening measures. We are concerned, however, that the barriers to access here go far beyond such measures, leaving members of the public and press subject to the discretion of individual foreclosure judges to admit or exclude them.

The reports we have received come from all around the state, and although the precise nature of the barriers to access varies, a troubling pattern emerges: foreclosure divisions recently established by the judicial circuits have been operating under a presumption of closure to members of the general public, rather than the presumption of openness mandated by Florida law. An illustrative, but not exhaustive, list of encounters that have been reported to our organizations since August 2010 follows:

- A court observer in Hillsborough County called the court to ask about the rules governing attendance at foreclosure proceedings and was told that the proceedings were not open to the public.
- A pro se defendant in Duval County was told by a member of court security that she could not access foreclosure proceedings because only attorneys were permitted.
- A court observer called the Orange County courthouse to ask about attending foreclosure proceedings. She was informed that foreclosure hearings were held "in private chambers" and therefore not open to the public.

- In Citrus County, an individual preparing to mount a pro se defense in his own foreclosure case attempted to attend foreclosure hearings in advance of his own so that he could know what to expect when his case was heard. He was told that foreclosure hearings are “private” and take place in judges’ chambers, and that he would not be permitted to observe them.
- Most recently, a legal aid attorney in Jacksonville attended a foreclosure proceeding accompanied by a reporter from Rolling Stone Magazine. Neither the attorney nor the reporter did anything disruptive to the proceedings. At one point the reporter left the proceedings in order to interview a pro se litigant whose case had just been heard. Later that day, the judge sent an email to the attorney castigating her for bringing the reporter into the proceedings. He stated that, while “attorneys are welcome in Chambers at their leisure,” members of the media are “permitted” entry only upon “proper request to the security officer.” He further informed the attorney that she “did not have authority to take anyone back to chambers without proper screening” and stated that her “apparent authorization that the reporter could pursue a property owner immediately out of Chambers into the hallway for an interview” may be “sited [sic] for possible contempt charges in the future.”¹

In raising our concerns about this pattern of exclusion, we rely on the extensive body of case law that has made Florida a model for open government. Systematically excluding members of the press and public from judicial foreclosure proceedings violates the robust guarantee of open access to courts provided by Florida law. This Court has held that “both civil and criminal court proceedings in Florida are public events and adhere to the well established common law right of access to court proceedings and records.” *Barron v. Fla. Freedom Newspapers, Inc.*, 531 So. 2d 113, 116 (Fla. 1988); see also Fla. R. Jud. Admin. 2.420 (codifying public right of access to records of the judiciary). *Barron* articulated this right of access in forceful terms. It emphasized that “a strong presumption of openness exists for all court proceedings” and outlined the carefully circumscribed exceptions to this broad rule:

[C]losure of court proceedings or records should occur only when necessary (a) to comply with established public policy set forth in the constitution, statutes, rules, or case law; (b) to protect trade secrets; (c) to protect a compelling governmental interest [e.g., national security; confidential informants]; (d) to obtain evidence to properly determine legal issues in a case; (e) to avoid substantial injury to innocent third parties [e.g., to protect young witnesses from offensive testimony; to protect children in a divorce]; or (f) to avoid substantial injury to a party by disclosure of matters protected by a common law or privacy right not generally inherent in the specific type of civil proceeding sought to be closed.

¹ Since the incident in Duval County was particularly egregious, we have also asked that Chief Judge Moran consider appropriate action.

Id., at 118. Even in these exceptional circumstances, “before entering a closure order, the trial court shall determine that no reasonable alternative is available to accomplish the desired result, and, if none exists, the trial court must use the least restrictive closure necessary to accomplish its purpose.” *Id.*

The protection of public access to judicial proceedings serves fundamental constitutional values. In particular, the “value of openness lies in the fact that people not actually attending trials can have confidence that standards of fairness are being observed; the sure knowledge that *anyone* is free to attend gives assurance that established procedures are being followed and that deviations will become known.” *Sarasota Herald-Tribune v. State*, 924 So. 2d 8, 12 (Fla. 2d DCA 2005) (quoting *Press-Enter. Co. v. Super. Ct.*, 464 U.S. 501, 508 (1984)). “A trial courtroom is a public place where people have a general right to be present, and what transpires in the courtroom is public property.” *Plaintiff B v. Francis*, No. 5:08-cv-79, 2010 WL 503067, *2 (N.D. Fla. Feb. 5, 2010). Foreclosure proceedings are currently a matter of intense public interest. Indeed, the media has, in recent months, scrutinized them for possible procedural deficiencies. See, e.g., Gretchen Morgenson and Geraldine Fabrikant, *Florida's High-Speed Answer to a Foreclosure Mess*, N.Y. TIMES, Sept. 14, 2010; Polyana da Costa, *Before Foreclosing, Judges Must Hear Out Homeowners*, MIAMI DAILY BUS. REV., Oct. 14, 2010.

As the examples outlined above show, Florida’s presumption of openness is being inverted in the context of foreclosure proceedings: courts across the state are effectively imposing a presumption of closure, which may be overcome only by special permission to observe proceedings. In effect, only those who actively assert their right of access in the face of initial barriers, and then ultimately receive permission, may exercise their right to observe foreclosure hearings.

Under Florida law, there are few justifications that can counterbalance the right to access. Even when those exceptional circumstances exist, the court must still determine that no more narrowly tailored alternative is available. *Barron*, 531 So. 2d at 118; see also *Globe Newspaper Co. v. Super. Ct. for the County of Norfolk*, 457 U.S. 596 (1982) (invalidating statute closing trials for certain sex offenses involving minors where state had a “compelling” interest in protecting minors’ privacy but where the court “offered no empirical support” that closure would effectively further that interest). There is no indication that closure of foreclosure courts occurs only when such rigorous analysis has taken place. Indeed, the opposite appears to be true: by choosing to conduct foreclosure hearings in “private” conference rooms or judicial chambers and treat those as closed proceedings, the burden shifts to members of the press or public to convince the court to allow access.

We recognize that the heavy volume of foreclosure cases has led to difficulties finding judges and courtrooms to hear the cases. As a result, some cases are being held in chambers for lack of an available traditional courtroom. Nevertheless, the proceedings must be open, even if they are held temporarily in a smaller and less formal physical

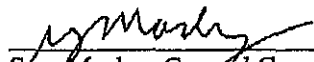
setting than usual. While we understand the necessity for ordinary and uniform security screening procedures, the unavailability of a traditional courtroom cannot justify a deprivation of the rights established under Florida law and the U.S. Constitution.

This Court has noted that the press plays an indispensable role in maintaining "the judicial system's credibility in a free society." *Barron*, 531 So. 2d at 116. That credibility cannot be maintained when members of the public and media are dependent on the indulgence of the presiding judge to allow them to observe important judicial proceedings.


It is our sincere hope that we, and other representatives of the media, will be able to avoid instituting litigation over the issue of access to foreclosure proceedings. We do face certain time constraints, however, because Florida Rule of Appellate Procedure 9.100(d) provides for expedited review of orders excluding the public and media from judicial proceedings, and it requires such petitions to be filed within 30 days of an exclusion order.²


Accordingly, we respectfully urge you to take corrective action to ensure citizen and press access as guaranteed by Florida's right-of-access jurisprudence. In particular, we ask that you promulgate an Administrative Order or take other expeditious and appropriate action to ensure that both the public and media may observe proceedings consistent with Florida law and subject only to ordinary security measures

We thank you for your attention to this important matter.

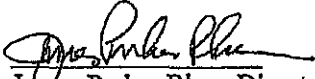

Sam Morley, General Counsel
The Florida Press Association


Talbot D'Alemberte, Bar No. 0017529
The Florida Press Association

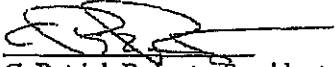

Larry Schwartz, Staff Attorney
The American Civil Liberties Union


Randall Marshall, Legal Director
The American Civil Liberties Union of Florida

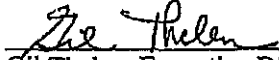
² The incident in Duval County occurred on October 26th. Accordingly, the last day to file a petition for review pursuant to Rule 9.100(d) is November 29th.



James Parker Rhea, Director & General Counsel
The First Amendment Foundation



C. Patrick Roberts, President & CEO
Florida Association of Broadcasters



Gil Thelen, Executive Director
The Florida Society of Newspaper Editors



James Denton, Editor
The Florida Times-Union

Albury, Janice

From: Melendi, Rick
Sent: Thursday, October 14, 2010 12:42 PM
To: Albury, Janice
Subject: Fw: Fwd: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee
Attachments: Foreclosure Bench Book.pdf; ATT1464213.htm

Please distribute to Sr. Judges in foreclosure project.

TY

From: Bridenback, Mike
To: Melendi, Rick
Sent: Thu Oct 14 12:36:55 2010
Subject: Fwd: New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee
Send to senior judges on the backlog project.

Sent from my iPhone

Begin forwarded message:

From: "Melissa Henderson" <HendersM@flcourts.org>
To: "Trial Court Chief Judges" <TrialCourtChiefJudges@flcourts.org>, "Trial Court Administrators" <TrialCourtAdministrators@flcourts.org>
Cc: "Susan Leseman" <LesemanS@flcourts.org>, "OSCA-JUDED" <JUDED@flcourts.org>, "Blan Teagle" <teagleb@flcourts.org>
Subject: **New Publication Announcement from Judge Mark King Leban, Chair, FCEC Publication Committee**

To: Chief Judges and Trial Court Administrators

From: Judge Mark King Leban, Chair, Florida Court Education Council's Publications Committee

Re: New Publication: Residential Foreclosure Bench Book

The Publications Committee of the Florida Court Education Council is pleased to announce the posting of the Residential Foreclosure Bench Book in the Court Education Resource Library on the Florida State Courts intranet. The Residential Foreclosure Bench Book was written by the Eleventh Circuit's Judge Jennifer Bailey and Assistant General Counsel Doris Bermudez-Goodrich. Used for a recent judicial education course for judges assigned to hear foreclosure cases, this bench book presents readers with the nuts and bolts of current foreclosure law and procedures.

In addition to this bench book, the Court Education Resource Library, developed by OSCA's Court Education Section and Publications Unit, contains a plethora of judicial education materials, among them, court publications (benchguides, bench books, toolkits, and case summaries); court education program materials; and other useful resources (a catalog of books, manuals, and other publications, including materials by state and national organizations).

A PDF of the bench book is attached, but you can also access it from the Court Education Resource Library, at https://intranet.flcourts.org/osca/Judicial_Education/Library/librarymain.shtml (As the bench book will be periodically updated to reflect changes in foreclosure law and procedure, please visit the site for update notifications.)

Please share this information with judges and court staff who are handling residential mortgage foreclosure cases.

If you have any questions, contact Susan Leseman, OSCA Publications Attorney, at (850) 922-5085 or lesemans@flcourts.org

Albury, Janice

From: Albury, Janice
Sent: Wednesday, June 23, 2010 11:10 AM
To: 'Donald Evans'; Gomez, Myra; 'Rogers Padgett'; 'Perry Little'; 'Ralph Steinberg'; 'Winston Burrell'
Subject: FW: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

FYI

From: Bridenback, Mike
Sent: Tuesday, June 22, 2010 4:28 PM
To: Barton, James ; Melendi, Rick
Subject: FW: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

fyi

From: Melissa Henderson [<mailto:HendersM@flcourts.org>]
Sent: Tuesday, June 22, 2010 1:15 PM
To: Trial Court Administrators
Subject: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

The following email was sent to Senior Judges today via email and will be mailed tomorrow to the Senior Judges that we do not have email addresses for.

Please let me know if you have any questions.

Melissa Henderson
Court Education Division
Office of the State Courts Administrator
500 South Duval Street
Tallahassee, FL 32399-1900
phone: 850/922-5086
fax: 850/922-9185
email: hendersm@flcourts.org

From: Melissa Henderson
Sent: Tuesday, June 22, 2010 1:14 PM
Subject: Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

Learning Opportunity for Senior Judges Assigned to Hear Foreclosure Cases

(This email is being sent to all Senior Judges approved for Circuit & County bench work, with a courtesy copy to JA's, and TCA's.)

Greetings:

As you know the Florida Legislature has recently allocated funds for the use of senior judges to help alleviate the backlog of foreclosure cases that are clogging court dockets throughout the state.

As a result, some senior judges may soon find themselves sitting on potentially large numbers of foreclosure cases with varying levels of complexity. In an effort to assist these judges in this important endeavor, we are pleased to announce that a comprehensive foreclosure course will be part of the agenda at the upcoming education program of the Florida Conference of Circuit Judges, to be held in late July at the Marco Island Marriott in Marco Island, Florida.

“The Nuts and Bolts of Foreclosure” is scheduled for Tuesday, July 27, 2010, from 3:00 – 4:30 p.m. The course will be taught by Judge Jennifer Bailey of the 11th Judicial Circuit and carries a maximum of 1.5 hours of CJE credit. After completing the course, participants should be able to:

- List the basic requirements for the entry of a summary judgment in a mortgage foreclosure case.
- Identify affirmative defenses which would preclude the entry of summary judgment in a mortgage foreclosure case.
- Recognize the challenges and ethical issues that arise when dealing with attorneys and pro se litigants in mortgage foreclosure cases.

If you are a senior judge **who is scheduled to begin hearing foreclosure cases**, don't miss this important opportunity to brush up on current foreclosure law and procedures. In order to take advantage of this learning opportunity, you must register for the conference, at:

www.flcircuitconference.com
(Password is FCCJ2010 and is case sensitive)

Please carefully read the information previously sent to you either by email or by regular mail for instructions and more information on registering for the conference. ***Please note that you should plan to attend the entire conference in order to be reimbursed; this notice is merely to advise you of one of the course offerings which may be particularly important to you.***

The conference registration deadline is July 15, 2010. The discounted on-line registration fee is \$140.00, of which \$112.00 is reimbursable. Anyone who misses this deadline can still attend and register at the conference registration desk. The non-discounted registration fee is \$165.00, of which \$112.00 is reimbursable.

We are aware that currently there are no more rooms available at the conference hotel. However, a state government rate is available at the Hilton on Marco Island for \$108/night plus tax for a total of \$118.80 per night, which is actually less expensive than the Marco Marriott. Following is the link to make a reservation for that hotel:

https://secure.hilton.com/en/hi/res/choose_dates.jhtml;jsessionid=P2A3LSL0XN0F0CSGBIVMVCQ?requestid=217287

We hope you are able to attend this important educational offering and look forward to seeing you there.

Martha Martin
Chief of Court Education

Hickmon, Angelina

From: Melendi, Rick
Sent: Tuesday, October 12, 2010 8:18 AM
To: Moreno, Elisa; Hickmon, Angelina; Schatzberg, Beth; Gammage, Trillany
Cc: Wells, Tracy; Greno, Linda
Subject: Docket Annotations

Good Morning,

As a result of the increase in hearing cancellations, annotations to the docket will need to start reflecting the reason for cancellation or resetting of the hearing. This information will assist in accurately reporting the monthly data for all hearings.

Therefore, if a hearing is cancelled or reset, the annotation on the docket needs to state a reason and should read as follows:

Cancellation (why?): Annotation: affidavit review/review of documents - by whom (client review = bank, law firm review or other reason?)

Reset (why?): Annotation – client hold, document review or affidavit review - by whom (client review = bank, law firm review or other reason?)

FTA – by whom? Reason:?

Note: Please refrain from using Cancellation/Reset - Internal Review (I/R), as an annotation: unless, you provide more specificity as to the reason (e.g., affidavit review/review of documents - by whom (client review = bank, law firm review or other reason?) for the cancellation or resetting of the hearing. The reason for the cancellation/resetting will need to be entered into the comment section for purposes of the data entry.

Annotations – to be used:

No Final Judgment Packet (No FJP): Annotation = I/P (Insufficient Pleading or Documentation)

No Packet: Annotation: I/P (Insufficient Pleading or Documentation)

No Mortgage and Note: Annotation = I/P (Insufficient Pleading or Documentation)

No Note: Annotation = I/P (Insufficient Pleading or Documentation)

No Mortgage: Annotation = I/P (Insufficient Pleading or Documentation)

This annotation document/cheat sheet is a work in progress and subject to further modification as we come across other annotations that are not clear for purposes of data entry.

Valdes,Ryan

From: Melendi, Rick
Sent: Monday, October 11, 2010 8:48 AM
To: Valdes,Ryan
Subject: FW: Possible Fannie Mae Meeting in the 13th
Attachments: ccwebsig2; ATT1351677.htm

Ryan,

Please print this email for Judge Steinberg's review.

Thank you.

From: Bridenback, Mike
Sent: Friday, October 08, 2010 6:50 PM
To: Melendi, Rick
Subject: Fwd: Possible Fannie Mae Meeting in the 13th

Check with the senior judges scheduled for next week to see if they would like to meet with the Fanne Mae rep.

Sent from my iPhone

Begin forwarded message:

From: "Ned Pope" <npope@collinscenter.org>
Date: October 7, 2010 6:01:27 PM EDT
To: "Bridenback, Mike" <bridenml@fljud13.org>
Subject: Possible Fannie Mae Meeting in the 13th

Mike,

I hope things are going well in Tampa.

Mike Hernandez, Fannie Mae VP, is making stops at different circuits to meet with judges regarding a new pre-filing foreclosure mediation program that Fannie Mae is about to engage in.

The basic premise of this process is to begin contacting delinquent borrowers at 65-75 days of delinquency with the hopes that outreach at a much earlier stage will prompt more participation in the program. Another key element of this process is the requirement that Fannie Mae is placing on the servicer to provide substantive loan modification and/or liquidation offers before mediation can begin. This way the mediation itself can be utilized to work towards a final agreement, as opposed to the "plans of action" that tend to result for the post filing program and often times get no follow-up directly from the servicer.

Other advantages to this process include: a more robust credit counseling component and document exchange, more interaction directly with the servicers on the loans, and lessening the requirements and activity of the foreclosure law firms.

As you know, the Supreme Court's recommended administrative order encourages pre-suit programs of this kind with the caveat that they substantially comply with the court's process model. Mr. Hernandez would like to review the process elements of the program with the appropriate judges in the 13th to get their input and suggestions on how to make sure they are fully compliant with the spirit of the local administrative order.

The Fannie Mae reps will be in Tampa next Wednesday and early Thursday morning if some of the civil judges, and/or the chief judge, are available. I'm happy to work with their JA's if you can point me in the right direction.

Thanks for your time, talk to you soon.

-Ned

Ned Pope

Vice President of Project Management and ADR Initiatives

Director, Mortgage Foreclosure Mediation Program

npope@collinscenter.org

www.collinscenter.org

2600 Centennial Place, Suite 201

Tallahassee, Florida 32308

Office: 850-219-0082 ex.106

Fax: 850-219-0491

Moreno,Elisa

From: Wells, Tracy
Sent: Wednesday, November 17, 2010 3:50 PM
To: Sequeira, Maria; Schatzberg,Beth; Valdes,Ryan; Gammage,Trillany; Hickmon,Angelina; Moreno,Elisa
Cc: Melendi, Rick
Subject: MEETING

We need to meet tomorrow morning at **8:30 a.m. in Conference Room B**. Please make every effort to attend.

It will be a short meeting.

Tracy

Moreno,Elisa

From: Melendi, Rick
Sent: Monday, November 08, 2010 3:45 PM
To: Hickmon,Angelina; Moreno,Elisa; Gammage,Trillany; Schatzberg,Beth
Subject: FW: 13th Circuit Foreclosure Stats.xlsx
Attachments: 13th Circuit Foreclosure Stats.xlsx

Case Managers,

Pursuant to a request made by the Office of the States Court Administrator in Tallahassee, you will need to start tracking hearings scheduled and hearings canceled data for the next two (2) months. The information that you need to capture is contained and limited to the data requested in the attached spreadsheet. As you can see the data collection is only for one week in November and December, 2010. Please take a minute to review the attached and note the weeks in the month you will gather data.

Your cooperation and assistance is greatly appreciated.

From: Albury, Janice
Sent: Monday, November 08, 2010 12:06 PM
To: Melendi, Rick
Subject: 13th Circuit Foreclosure Stats.xlsx

Moreno,Elisa

From: Moreno,Elisa
Sent: Tuesday, November 30, 2010 10:39 AM
To: Melendi, Rick
Cc: Hickmon,Angelina
Subject: FW: 13th Circuit Foreclosure Stats.xlsx
Attachments: 13th Circuit Foreclosure Stats.xlsx

Please let us know if you have any questions, thank you!

Elisa

From: Hickmon,Angelina
Sent: Monday, November 22, 2010 10:13 AM
To: Wells, Tracy
Cc: Moreno,Elisa
Subject: 13th Circuit Foreclosure Stats.xlsx

Nauman, Chris

From: Rowland, Dave
Sent: Wednesday, December 15, 2010 9:53 AM
To: Nauman, Chris
Subject: FW: Letter to Chief Justice Canady

From: Menendez, Manuel
Sent: Tuesday, December 14, 2010 2:56 PM
To: Rowland, Dave
Subject: FW: Letter to Chief Justice Canady

From: Barton, James
Sent: Monday, November 15, 2010 3:48 PM
To: Menendez, Manuel; Bridenback, Mike
Subject: RE: Letter to Chief Justice Canady

The individuals I have questioned about this issue confirm that they understand that foreclosure hearings are open to the public and indicated that they would not have told anyone that the hearings are closed. It is imperative that the "court observer" inform us who she or he talked to and when. If anyone in our courthouse has mistakenly described our hearings as anything other than public, we need to know so that we can correct the problem. As far as I can discern, we do not have a record of this alleged call or any of the countless other foreclosure-related calls that are received by our staff.

From: Menendez, Manuel
Sent: Monday, November 15, 2010 10:17 AM
To: Bridenback, Mike; Barton, James
Subject: FW: Letter to Chief Justice Canady
Importance: High

We made it first on the list of evil doers! We MUST train everyone who deals with the public to emphasize that our court proceedings are indeed OPEN to the public. Do we have a record of who took this alleged call, and who it was who called? I'd like advise the Chief Justice TODAY.

From: Lisa Goodner [<mailto:goodnerl@flcourts.org>]
Sent: Monday, November 15, 2010 9:51 AM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: OSCA-MANAGERS
Subject: FW: Letter to Chief Justice Canady

FYI.

Lisa

From: Larry Schwartztol [<mailto:lschwartztol@aclu.org>]
Sent: Friday, November 12, 2010 7:07 PM
To: Craig Waters
Subject: Letter to Chief Justice Canady

Craig,

I hope this email finds you well. As I mentioned earlier today, the ACLU is working with a coalition of organizations representing members of the Florida news media to protest barriers to access to foreclosure proceedings around the state of Florida. The attached letter will be delivered by UPS to the Chief Justice on Monday morning, and we expect to issue a press release that afternoon. In order to give the Chief Justice advance notice, we wanted to send this to you now. If you wouldn't mind forwarding this to the Chief Justice, I would greatly appreciate it.

Best,

Larry

Larry Schwartzol | Staff Attorney

Racial Justice Program

The American Civil Liberties Union

125 Broad Street, 18th Floor | New York, NY 10004

Phone: 212-519-7849

This e-mail message is intended only for the named recipient(s) above, and may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

Bridenback, Mike

From: Bridenback, Mike
Sent: Tuesday, May 11, 2010 2:36 PM
To: Menendez, Manuel
Subject: RE: Alternative Allocation Plans

Tomorrow

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800



www.fjud13.org

From: Menendez, Manuel
Sent: Tuesday, May 11, 2010 2:36 PM
To: Bridenback, Mike
Subject: Re: Alternative Allocation Plans

When must we respond?

Sent from my iPhone

On May 11, 2010, at 2:34 PM, "Bridenback, Mike" <[redacted]> wrote:

He has not

Michael L. Bridenback
Court Administrator

800 E. Twiggs Street, Suite 604

Tampa, FL 33602

p: 813.272.5894

f: 813.301.3800

<image001.jpg>

www.fjud13.org

From: Menendez, Manuel
Sent: Tuesday, May 11, 2010 1:57 PM
To: Bridenback, Mike
Subject: Re: Alternative Allocation Plans

Has Barton provided any input?

Sent from my iPhone

On May 11, 2010, at 11:09 AM, "Bridenback, Mike" <[REDACTED]> wrote:

Attached are 2 alternatives for your consideration. Alternative 1 reduces the circuit senior judge allocation by 100 days which would be equivalent to going to a 4 day work schedule for 2 senior judges instead of a 5 day work schedule. As a result, we can maintained 5 case manager and 2 secretary positions with a significant reduction in operating expenses. Alternative II restores the circuit senior judge day allocation to 520 days which would be a 5 day work schedule for 2 senior judges, reduces the case manager positions from 5 to 4, maintains the 2 secretary positions and slightly increases the expense allocation in comparison to Alternative 1.

The difference between the 2 alternatives is that alternative 2 trades 1 case manager for 100 senior judge days.

Michael L. Bridenback

Court Administrator

800 E. Twiggs Street, Suite 604

Tampa, FL 33602

p: 813.272.5894

<image003.jpg>

f: 813.301.3800

[REDACTED]
www.fljud13.org

<FORECLOSURE AND ECONOMIC RECOVERY PROGRAM.docx>

Bridenback, Mike

From: Heather Thuotte-Pierson [REDACTED]
Sent: Friday, May 14, 2010 9:28 AM
To: Bridenback, Mike
Subject: RE: Foreclosure and Economic Recovery Program Allocations

Thanks.

From: Bridenback, Mike [REDACTED]
Sent: Friday, May 14, 2010 9:27 AM
To: Heather Thuotte-Pierson
Subject: RE: Foreclosure and Economic Recovery Program Allocations

2 hearing rooms, no need for courtrooms.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
[REDACTED]
www.fjud13.org



From: Heather Thuotte-Pierson [REDACTED]
Sent: Friday, May 14, 2010 9:26 AM
To: Bridenback, Mike
Subject: RE: Foreclosure and Economic Recovery Program Allocations

Mike do you have information on the number of courtrooms? Thanks.

From: Bridenback, Mike [REDACTED]
Sent: Wednesday, May 12, 2010 10:25 AM
To: Heather Thuotte-Pierson
Cc: Judge Manuel Menendez, Jr.; Barton, James ; Rick Melendi
Subject: RE: Foreclosure and Economic Recovery Program Allocations

Attached is the 13th circuit's revised plan.

Michael L. Bridenback
Court Administrator
800 E. Twiggs Street, Suite 604
Tampa, FL 33602
p: 813.272.5894
f: 813.301.3800
[REDACTED]
www.fjud13.org



From: Heather Thuotte-Pierson [REDACTED]
Sent: Friday, May 07, 2010 11:27 AM
To: Trial Court Chief Judges; Trial Court Administrators
Cc: Lisa Goodner; Kristine Slayden; Sharon Buckingham; Charlotte Jerrett; Dorothy Wilson; Arlene Johnson; Patty Harris; Theresa Westerfield; Elizabeth Garber; Greg Youchock; Gary Phillips
Subject: Foreclosure and Economic Recovery Program Allocations

Good morning,

The Legislature appropriated funding for the Foreclosure and Economic Recovery Program in the amount of \$5,955,606 for FY 2010/11 to the trial courts. These non-recurring funds will be used to provide temporary resources in the trial courts to eliminate backlog in the civil areas. We will be sending information on target backlog reduction goals as well as parameters for implementation and clerk involvement in this program after the May 20, 2010 Trial Court Budget Commission meeting.

The amount of funding authority appropriated for this program is less than the amount originally requested, thus the estimated allotment for each circuit also has been adjusted. You will find the estimated allocation by circuit along with estimated backlog cases in the attached PDF file – Foreclosure and Economic Recovery Program. **Considering your adjusted allocation, please indicate, using the attached Foreclosure and Economic Recovery _ Distribution spreadsheet, how you would like the funds for your circuit distributed – by category and element.** For every element (General Magistrates and/or Senior Judges, Case Managers, General Magistrate/Senior Judge Admin Support and Mediation Admin Support) specify the dollar amount and category in which the funds should be allocated - OPS, contracted services and/or expenses dollars. To allow for maximum flexibility, funds may be expended in one or all of the elements.

As a reminder, the funding methodology developed for this proposal is based on the number of backlogged cases (in the civil areas) in each circuit. A ratio of one General Magistrate, one Case Manager and two Administrative Support positions for every 15,000 backlogged cases was applied to estimate need. One Administrative Support position is dedicated to mediation for the coordination of civil cases covered under this program with the exclusion of residential homestead mortgage foreclosure cases handled through the managed mediation program. The annual salaries used to calculate the allocation amounts were approximately: \$79,688 for General Magistrates, \$39,126 for Case Managers, and \$26,090 for Admin Support.

Additional information is also needed again from the circuits as to how economic recovery resources will be deployed circuit-wide. Court leadership would like to be able to share this information with the clerks so they can plan accordingly, since they were appropriated \$3.6 million to support our initiative. Please provide:

-The amount of **magistrate/senior judge FTE's** that will be assigned in **each county** based on the expected workload from the backlogged cases. *Note: Single county circuits can ignore this question.*

-If you have multiple **magistrate/senior judge FTE's** in the proposal, what is the maximum number of courtrooms that will be scheduled at any one time **in each county**?

As usual we are under a tight timeframe. Please respond by **Wednesday, May 12th C.O.B.**

Please let me know if you have any questions or concerns.

Thanks,
Heather.

Heather Thuotte-Pierson
Office of the State Courts Administrator
Court Statistics Consultant

Bridenback, Mike

From: Barbara Dawicke [REDACTED]
Sent: Wednesday, June 09, 2010 9:59 AM
To: Sondra M. Lanier; Trial Court Administrators
Subject: RE: Foreclosure Case Management

In the Fifteenth Circuit we will utilize 2 senior judges per day to cover the summary judgments (100 cases in the a.m.; 100 cases in the p.m. per Judge) and to sign orders. We will have 6 case managers—4 to prep files for the senior judges and the foreclosure judge (Judge Sasser); 1 for writs; 1 for emergencies. We will have three assistants—1 to help with the phones and conforming; 1 to direct persons to the courtrooms (sitting outside in the hall) and conform; 1 to draft orders and conform. We have over 55,000 cases to address so they will all be kept busy. If we hit our 62% reduction, we are shifting some resources over to County Civil debt cases.

We are in the lucky position of having a similar operation already up and running (via Judge Sasser and Judge Cook—and volunteers). The funding will allow us to pick up the pace even more. Our case managers and assistants (OPS) will arrive in late June for a training (volunteer day) with a start date of July 1st.

The clerk has indicated that the paperwork for such a production is enormous but they are very willing to help make this happen. We plan to hold twice a month status meetings to make sure that issues that arise are addressed as a team.

Barbara

From: Sondra M. Lanier [REDACTED]
Sent: Wednesday, June 09, 2010 9:47 AM
To: Trial Court Administrators
Subject: Foreclosure Case Management

Good morning. I'm sure that my esteemed colleagues are ahead of me on this, so would someone please share your plan? We have a conference call with our clerks this afternoon and I am working on my proposal.

Sondra Lanier
Trial Court Administrator
Third Judicial Circuit
(386)758-2163 Lake City
(386)362-1017 Live Oak
(386)362-2658 Fax

Please be advised that Florida has a broad public records law, and all correspondence to me via email may be subject to disclosure. Under Florida records law (SB80 effective 7-01-06), email addresses are public records. If you do not want your email address released in response to a public records request, do not send public records request to this entity. Instead, contact this office by phone or in writing.

[Print Article](#)[Print This Story](#)

Paperwork problems put foreclosures in limbo

By [SHANNON BEHNKEN](#) | The Tampa Tribune

Gale Green says she never missed a mortgage payment on her St. Petersburg home, but that didn't stop GMAC from filing for foreclosure last year.

The lender returned one of her checks in some sort of mix-up and then stopped taking her payments while it tried to figure out what had happened, she said.

Without any warning, she says, the lender moved to take the home back a few months later.

"The next thing I knew, there was a knock at the door, and it was foreclosure," Green said.

That's when Green's foreclosure case became one of tens of thousands now in limbo, while lenders review problematic paperwork.

An affidavit detailing the facts in Green's foreclosure case was signed by the same processor whom GMAC says it now knows did not read foreclosure documents he signed.

Two weeks ago, GMAC's parent company, Ally Financial, said it discovered the processor signed off on key documents without making sure they were accurate. Federal lawmakers and state officials have said such practices could be fraudulent.

Last week, JPMorgan Chase and Bank of America said the same thing was happening at their companies.

It's not clear how many loans are affected, but the three lenders are some the largest in the nation. All three also service loans owned by other lenders. Those loans are included in the foreclosure moratorium.

Bank of America, the biggest U.S. bank in terms of assets and deposits, estimated it will be reviewing tens of thousands of documents.

The law requires the lender's processor to personally verify that the lender has the right to foreclose on a home. The processors, though, signed more than 10,000 documents a month, and some have given sworn testimony that they relied on other staff members to verify the documents.

Foreclosures involving all three lenders are now on hold in 23 states, including Florida.

The lenders have all said the problems were "technical" and that they don't think any of the foreclosure documents contained errors. They say they plan to resubmit documents properly and then proceed with foreclosures.

Homeowners such as Green are wondering what will happen to them now. Green hired an attorney to fight the foreclosure, but the bank didn't respond until the scope of the paperwork problems came to light. Still, the only response she's gotten so far is a temporary halt to the foreclosure.

Her lawyer, Matt Weidner, said he wants to get Green's case dismissed and expects other foreclosure defense attorneys to try the same for their clients.

"Because of this document they've filed, they are not going to be able to proceed with this case," Weidner said. "I'm not going to allow them to get a judgment in this case."

Bridenback, Mike

From: Schatzberg,Beth
Sent: Thursday, October 14, 2010 3:36 PM
To: Melendi, Rick; Bridenback, Mike; Noll, Sharon
Cc: Greno, Linda; Gammage,Trillany
Subject: Foreclosure Hearing - Cancellations - Thursday

Section 2 docket status

134 hearings scheduled

-52 cancelled prior to today

- 6 cancelled today during the hearings

76 hearings heard today TOTAL (Trillany is still in the court room on the 3:30 docket & may have a couple of cancellation due to no packet received)

-----Original Message-----

From: Melendi, Rick
Sent: Thursday, October 14, 2010 2:28 PM
To: Moreno,Elisa; Hickmon,Angelina; Schatzberg,Beth; Gammage,Trillany
Cc: Greno, Linda
Subject: Re: Foreclosure Hearing - Cancellations Today

Please also send the informatio below to Sharon Noll just in case my phone dies.

Thanks.

----- Original Message -----

From: Melendi, Rick
To: Moreno,Elisa; Hickmon,Angelina; Schatzberg,Beth; Gammage,Trillany
Cc: Greno, Linda
Sent: Thu Oct 14 11:40:06 2010
Subject: Foreclosure Hearing - Cancellations Today

Good Morning,

Please provide Mike Bridenback and myself via email the information requested below in 1) and 2) immediately following the conclusion of all hearings for today or at the latest 3:45 for both Section I and II.

- 1) The total number of hearings scheduled for today - a.m. /Pam. through JAWS; and,
- 2) The total number of hearings -cancelled prior to today's hearings including, those hearings cancelled at the time of the hearing.

Thank you.

Melendi, Rick

From: Melendi, Rick
Sent: Wednesday, September 29, 2010 4:46 PM
To: Bridenback, Mike; Albury, Janice
Cc: Noll, Sharon; Roberts Julie
Subject: Mortgage Foreclosure Project -: Specially Set Docket re: Order Setting Trial, Case Management & Pending Motions

A meeting was called for this morning by Carla Snavely. In attendance were Carla, Dana Caranante Linda Greno, Sharon Noll and myself. The topics of discussion were the hearing date(s), number of foreclosure cases identified and the pieces of the process the clerk will be responsible for doing, and the pieces the AOC staff and contractual resources will be responsible for doing.

Linda Greno spoke with Judge Barton following the meeting and he has approved for the hearings to take place the week of December 13, 2010. The clerk has identified 600 cases to place on the docket for that week. That amounts to 120 hearings/day, with 60 hearings in the a.m. and 60 in the p.m. Sr. Judge Sandra Taylor is scheduled to serve in Section I the week of December 13, 2010, and has agreed to handle the week long hearing docket. That being the case, my office will begin making calls to the existing sr. judges' in Section I to secure alternate sr. judge cover in Section I for Judge Taylor.

As a result of the above meeting, I have set a meeting with Linda, Julie Roberts and Sharon Noll tomorrow to discuss issues regarding the production of the hearing notice utilizing JAWS in conjunction with Banner, as well as the scheduling of these case within the JAWS application and preparation of the docket.

As things develop, I will keep you apprised.

Melendi, Rick

From: Melendi, Rick
Sent: Wednesday, August 11, 2010 6:05 PM
To: Smith, Angie
Subject: Staff Resource Support re: Backlogged Mortgage Foreclosure Project

Angie,

As I mentioned briefly the other night, I am working to identify and coordinate the additional staff resources needed from each program or department to support the foreclosure project. As you know, I broke the areas of support into three categories: 1.) Administrative; 2.) Research and 3.) Data Entry. Based on the areas of support needed and the skill set required, I have identified two (2) of your staff members who I believe can provide the support and who possess the requisite skill set needed for this project. The two staff members are Blanca Potts and David Kirby. I have placed Blanca on the administrative support team and David on the research team.

Please note that I plan to meet with each of the support "teams" tomorrow to outline the scope of services and the importance of their role and contribution to the project. Although, I do not think you have any issues with who I selected from your department to provide assistance with this project, please let me know if there is anything we need to discuss.

Thanks for your support in this matter.

Rick

Melendi, Rick

From: Kirby, David
Sent: Tuesday, August 24, 2010 1:54 PM
To: Melendi, Rick
Subject: RE: foreclosures

Appreciate it...

From: Melendi, Rick
Sent: Tuesday, August 24, 2010 12:17 PM
To: Kirby, David
Subject: RE: foreclosures

The cancellation of the sale does not impact a final judgment that has been entered. Remember, we count a case as disposed at the time of the entry of the Order of Summary/Final Judgment. Therefore, a cancellation of judicial sale has no impact. It is still treated as a disposed case.

Yes, you will count condo association cases.

Thanks for double checking.

From: Kirby, David
Sent: Tuesday, August 24, 2010 9:24 AM
To: Melendi, Rick
Subject: foreclosures

Rick,

I'm getting lots of Banner pages that state "Cancellation of Judicial Sale", and that's what I'm noting on the docket. Obviously, if a sale was scheduled, there was a final judgment. Does the cancellation of sale change that in any way?

Also, I've had a few cases in which the plaintiff is a condo association. Do we still count that?

Thanks,

David

Melendi, Rick

From: Fallon, Simone
Sent: Wednesday, June 23, 2010 9:52 AM
To: Melendi, Rick; Smith, Angie
Subject: RE: General Civil Judges" Web Site Posting re: Residential Mortgage Foreclosures

Hello Rick,

For Divisions A, B, C, D, F, G, H, I, J & K the new announcement has been posted to each of the following pages on our current website. Please let me know if you have any questions or need further assistance.

Angie,

I am working now to post to the new, unpublished website.

Thanks,

Simone

<http://www.fljud13.org/judgependino.asp>
http://www.fljud13.org/pendino_mortgage.asp?calendarid=267

<http://www.fljud13.org/judgefoster.asp>
http://www.fljud13.org/foster_mortgage.asp?calendarid=265

<http://www.fljud13.org/judgebarton.asp>
http://www.fljud13.org/barton_mortgage.asp?calendarid=139

<http://www.fljud13.org/judgesisco.asp>
http://www.fljud13.org/crenshaw_MSJAppear.asp?calendarid=11027
http://www.fljud13.org/crenshaw_MSJTelephonic.asp?calendarid=10184

<http://www.fljud13.org/judgebergmann.asp>
<http://www.fljud13.org/bergmannFORECLOSURE.asp?calendarid=134>

<http://www.fljud13.org/judgecook.asp>
http://www.fljud13.org/cook_mortgage.asp?calendarid=116

<http://www.fljud13.org/judgesilver.asp>
http://www.fljud13.org/silver_mortgage.asp?calendarid=75

<http://www.fljud13.org/judgebaumann.asp>
http://www.fljud13.org/baumann_mortgage.asp?calendarid=3975
http://www.fljud13.org/baumann_mortgageWalkin.asp?calendarid=10981

<http://www.fljud13.org/judgearnold.asp>
http://www.fljud13.org/arnold_foreclosurenotice.htm
http://www.fljud13.org/arnold_mortgage foreclosure.asp?calendarid=3866

<http://www.fljud13.org/judgelevens.asp>
http://www.fljud13.org/levens_mortgage.asp?calendarid=144

Simone Fallon

Web Team & Graphic Design
Office of Public Information
800 E. Twiggs Street,
Suite 606A
Tampa, FL 33602
p: 813.301.7282
fallonsd@fljud13.org
www.fljud13.org



From: Melendi, Rick
Sent: Tuesday, June 22, 2010 5:59 PM
To: Fallon, Simone
Subject: General Civil Judges" Web Site Posting re: Residential Mortgage Foreclosures

Simone,

I spoke with Angie late this afternoon regarding the need for your assistance tomorrow a.m. to post an individual announcement on each General Civil Judges' web page. Attached is the language that needs to be posted to each letter divisions/judges' page which will include a link to the Main Page of the JAWS scheduling application.

I have a meeting at 9:00 tomorrow morning, but let's see if we can get together for a few minutes before that meeting to discuss and in case you have questions.

Thanks.

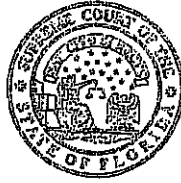
Albury, Janice

From: Melendi, Rick
Sent: Friday, November 19, 2010 1:59 PM
To: Albury, Janice
Subject: Chief Justice Memo to Chief Judges re: Foreclosures
Attachments: Memo to Chief Judges re Mortgage Foreclosure Proceedings.pdf

Janice,

Please distribute the attached to all sr. judges involved in the foreclosure proceedings.

Thank you.



Supreme Court of Florida

500 South Duval Street
Tallahassee, Florida 32399-1925

CHARLES T. CANADY
CHIEF JUSTICE
BARBARA J. PARIENTE
R. FRED LEWIS
PEGGY A. QUINCE
RICKY L. POLSTON
JORGE LABARGA
JAMES E.C. PERRY
JUSTICES

THOMAS D. HALL
CLERK OF COURT

KEVIN WHITE
ACTING MARSHAL

MEMORANDUM

TO: Chief Judges of the Circuit Courts

FROM: Chief Justice Charles T. Canady *CTC*

DATE: November 17, 2010

SUBJECT: Mortgage Foreclosure Proceedings

Enclosed for your review and action is a letter dated November 12, 2010, that I received from the Florida Press Association and other organizations. The letter alleges that in some instances, members of the public and/or press either have been advised that they cannot attend mortgage foreclosure proceedings or have been prevented from attending such proceedings.

As the chief administrative officer of the Florida judicial branch, I am directing all chief judges to examine the current practices within their respective circuits to ensure that those practices are entirely consistent with the constitutional, statutory, procedural rule, and case law requirements of this state regarding the presumption that state court proceedings are open to the public.

I also ask that you communicate with all judges and court staff in your circuit to remind them of the relevant provisions relating to open court proceedings. It is important for you to communicate with the clerks of court and bailiffs within your circuit as well to ensure that those offices provide any visitors

Chief Judges of the Circuit Courts
November 17, 2010
Page Two

or callers with the correct information about attendance at mortgage foreclosure or other court proceedings.

I would also like to take this opportunity to clarify the Supreme Court's understanding of the goals of the Foreclosure and Economic Recovery Funding Initiative, which was partially funded by the Legislature during the 2010 Legislative Session. I have reviewed Judge John Laurent's memorandum of October 28, 2010, a copy of which is attached and incorporated herein by reference. I agree with his description of the 62-percent goal established by the Trial Court Budget Commission as a means to help measure the court system's progress in the initiative and to document how the appropriation for the foreclosure initiative is being spent. There is no reason why the 62-percent goal should interfere with a judge's ability to adjudicate each case fairly on its merits. Each case must be adjudicated in accordance with the law.

Thank you for your ongoing efforts to appropriately administer and resolve the avalanche of mortgage foreclosure cases that have been overwhelming the court system during the past few years. I recognize that the challenge you face in assuring that these cases are resolved properly is unprecedented. I am confident that with the cooperation of all judges and court staff—along with the tools of the revised rules of court procedure, implementation of the managed mediation program, and the influx of court resources through the Foreclosure and Economic Recovery Funding Initiative—the Florida courts will be able to meet this challenge in a manner that protects and preserves the rights of all parties as well as interested observers.

CTC/LG/dgh

Enclosures

cc: Trial Court Administrators

Albury, Janice

From: Albury, Janice
Sent: Friday, August 13, 2010 10:17 AM
To: Fallon, Simone
Subject: RE: question about senior judges

Section 1 – Ryan Valdez (813) 272-8572
Section 2 – Maria Sequeira (813) 272-5121

From: Fallon, Simone
Sent: Friday, August 13, 2010 10:14 AM
To: Albury, Janice
Subject: RE: question about senior judges

Thanks Janice. Sounds good to me- I'll add them back. Not sure why they were omitted. Do you know who the secretary is for section 1?

Simone Fallon
Web Team & Graphic Design
Office of Public Information
800 E. Twiggs Street,
Suite 606A
Tampa, FL 33602
p: 813.301.7282
fallonsd@fjud13.org
www.fjud13.org



From: Albury, Janice
Sent: Friday, August 13, 2010 10:13 AM
To: Fallon, Simone
Subject: RE: question about senior judges

I think they should be included in the directory because they have now hired the secretary for each section and they have phone numbers assigned to each section. The judge would just indicate Senior Judge. That's my opinion.

From: Fallon, Simone
Sent: Friday, August 13, 2010 10:10 AM
To: Albury, Janice
Subject: question about senior judges

Hi Janice,

These two sections of Residential Mortgage Foreclosure were included within the judicial directory on our old website but are not posted to our new site. I was thinking that maybe someone else removed them on purpose and I should verify whether or not they should be included within the directory. Can you help me out with this one?

Thanks,

Simone

Circuit Courts:

Residential Mortgage Foreclosures - Section 1	Senior Judge	513 Edgecomb	-	272-8572	TBA
Residential Mortgage Foreclosures - Section 2	Senior Judge	422 Edgecomb	409	272-8572	Maria Sequeira

Simone Fallon

Web Team & Graphic Design
Office of Public Information
800 E. Twiggs Street,
Suite 606A
Tampa, FL 33602
p: 813.301.7282
fallonsd@fjud13.org
www.fjud13.org



Albury, Janice

From: Albury, Janice
Sent: Friday, August 13, 2010 10:13 AM
To: Fallon, Simone
Subject: RE: question about senior judges

I think they should be included in the directory because they have now hired the secretary for each section and they have phone numbers assigned to each section. The judge would just indicate Senior Judge. That's my opinion.

From: Fallon, Simone
Sent: Friday, August 13, 2010 10:10 AM
To: Albury, Janice
Subject: question about senior judges

Hi Janice,

These two sections of Residential Mortgage Foreclosure were included within the judicial directory on our old website but are not posted to our new site. I was thinking that maybe someone else removed them on purpose and I should verify whether or not they should be included within the directory. Can you help me out with this one?

Thanks,

Simone

Circuit Courts:

Residential Mortgage Foreclosures - Section 1	Senior Judge	513 Edgecomb	-	272-8572	TBA
Residential Mortgage Foreclosures - Section 2	Senior Judge	422 Edgecomb	409	272-8572	Maria Sequeira

Simone Fallon
Web Team & Graphic Design
Office of Public Information
800 E. Twiggs Street,
Suite 606A
Tampa, FL 33602
p: 813.301.7282
fallonsd@fjud13.org
www.fjud13.org



Schatzberg, Beth

From: Fish, Mary
Sent: Wednesday, July 07, 2010 4:39 PM
To: Schatzberg, Beth
Subject: RE: File request

I KEEP NOH IN Brown expanded file in drawer, BUT, I REALLY NEVER USE THEM, I guess you should ask other Ja's what they do, My judge does not require I put them in the files.

Mary A. Fish
Judicial Assistant
Honorable Martha J. Cook
813-272-6995
Fax- 813.301-3838

From: Schatzberg, Beth
Sent: Wednesday, July 07, 2010 3:50 PM
To: Fish, Mary
Subject: RE: File request

Question for you – do you keep your NOH or do you pitch them?

From: Fish, Mary
Sent: Wednesday, July 07, 2010 11:59 AM
To: Schatzberg, Beth
Subject: RE: File request

It is not here now. Probably sent here for an order to be signed, and has been recently returned to clerk. Have them look again.

Mary A. Fish
Judicial Assistant
Honorable Martha J. Cook
813-272-6995
Fax- 813.301-3838

From: Schatzberg, Beth
Sent: Wednesday, July 07, 2010 8:11 AM
To: Fish, Mary
Subject: FW: File request

Mary-

Good Morning! I received this back from the clerk. Can you check your area to see if it showed up some time?

Thanks!
Beth

From: Pride, Lisa [<mailto:PrideL@hillsclerk.com>]
Sent: Tuesday, July 06, 2010 4:33 PM
To: Schatzberg, Beth; Section2
Subject: RE: File request

Good Afternoon,

We did receive your request, the file is checked out to Div. G. on June 30, 2010. This is a good e-mail address for file request by Section 2. Please let me know if you have any concerns.

*Lisa L Pride, Director
Clerk of the Circuit Court
Circuit Civil Division
P O Box 989
Tampa FL 33601
(813) 276-8100 x4807
pridel@hillsclerk.com*

From: Schatzberg,Beth [<mailto:schatzbm@fljud13.org>]
Sent: Tuesday, July 06, 2010 1:31 PM
To: Section2
Subject: File request

I am not sure who I am e-mailing, but I have a file request for Thursday for Div. 2- I need Vile # 08-13813 Bank of NY v. Vigoreaux. I am located in rom # 425.

Thank you!

Beth

Moreno,Elisa

From: Greno, Linda
Sent: Tuesday, October 12, 2010 9:53 AM
To: Schatzberg,Beth; Gammage,Trillany; Sequeira, Maria; Hickmon,Angelina; Moreno,Elisa; Valdes,Ryan
Cc: Melendi, Rick
Subject: Defendant's Motions for Summary Judgment
Attachments: image001.jpg

Just a reminder that Motions for Summary Judgment filed by **Defendant's** are to be scheduled on the Friday motion day and all **Plaintiff's** Motions for Summary Judgment are set on the Monday – Thursday docket. Any questions, please let me know.