

ADMINISTRATIVE ORDER
NO. 2009-12-03

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT, IN AND
FOR ORANGE AND OSCEOLA
COUNTIES, FLORIDA

**AMENDED ADMINISTRATIVE ORDER GOVERNING
FIRST PARTY INSURANCE CLAIMS CASES**

Certain cases are routinely filed within the Small Claims Division of the Orange County and the Osceola County Civil Court, to wit: claims by insureds (or assignees of insureds) against insurers for insurance policy benefits, such as Personal Injury Protection benefits, automobile windshield glass benefits and other property insurance benefits (“First Party Insurance Claims”).

The filing of such cases in the Small Claims Division results in issuance in each case of a Summons/Notice to Appear pursuant to Rule 7.090, Florida Small Claims Rules, setting a pretrial conference within 50 days from the date of filing of the action and, in the Ninth Judicial Circuit, setting a mediation conference with the Court’s mediation services.

The parties in such First Party Insurance Claims are represented by counsel, typically seek extensive discovery, and, as a result, the trial courts routinely invoke the Florida Rules of Civil Procedure as permitted by Rule 7.020(c), Florida Small Claims Rules, resulting in the entry of individual orders in each case.

The invocation of the Florida Rules of Civil Procedure uniformly at inception of the case throughout Orange County and Osceola County in First Party Insurance Claims cases promotes judicial economy and efficiency, and avoids unnecessary consumption of pretrial and mediation scheduling and other resources.

By the power vested in the chief judge under Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and rule 2.215 of the Florida Rules of General Practice and Judicial Administration, **effective October 18, 2021**, to continue until further order and superseding any provisions in prior Administrative Orders, which may be inconsistent, it is **ORDERED**:

1. Florida Rules of Civil Procedure Apply: The Florida Rules of Civil Procedure are hereby invoked at the time of filing the case for all First Party Insurance Claims cases filed in the Small Claims Division of the Orange County Court and the Osceola County Court.

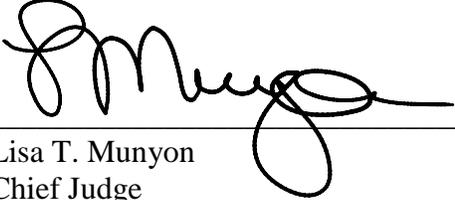
2. Civil Cover Sheet Addendum: Effective October 18, 2021, for all First Party Insurance Claims cases, the plaintiff must file a complaint that specifically states the Ninth Judicial Circuit Court Administrative Order 2009-12-03 applies. A Civil Cover Sheet County Court Addendum, in the form attached hereto as Exhibit “A,” shall be filed together with the Complaint.

3. **Summons:** In all First Party Insurance Claims cases appropriately designated under paragraph 2 above, the clerk shall issue a summons consistent with the Florida Rules of Civil Procedure and Administrative Order 2021-04-01. The Clerk shall not set a small claims pretrial conference or small claims mediation in the case.

4. The provisions of this Administrative Order may be modified by the trial court in any individual First Party Insurance Claims case.

5. Administrative Orders 2009-12-02 and 2017-09 are vacated and set aside except to the extent that each has been incorporated and/or amended herein. Vacating an Administrative Order that vacates a prior Order does not revive the prior Order.

DONE AND ORDERED at Orlando, Florida, this 7th day of October, 2021.



Lisa T. Munyon
Chief Judge

Copies to:
Clerk of Courts, Orange County
Clerk of Courts, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>

EXHIBIT “A”

[CIVIL COVER SHEET COUNTY COURT ADDENDUM]

CIVIL COVER SHEET COUNTY COURT ADDENDUM
PARTY OR ATTORNEY FILING ACTION MUST SELECT WHICH APPLIES

Cases Subject to Administrative Order 2009-12-03 - Order Governing Small Claims First Party Insurance Claims Cases. The designations set out below shall guide the parties and the Court in the assignment of cases subject to Administrative Order 2009-12-03.

COUNTY CIVIL Small Claims

_____ Other civil (small claims personal injury protection)

_____ Other civil (automobile glass insurance claims cases)

_____ Other civil (other claim for first party insurance benefits)

NOTE: A copy of the Civil Cover Sheet and this Addendum must be served with the Complaint for all small claims First Party Insurance Claims Cases.