

Supreme Court of Florida

No. AOSC21-62

IN RE: WORKGROUP ON SANCTIONS FOR VEXATIOUS AND
 SHAM LITIGATION

ADMINISTRATIVE ORDER

WHEREAS, vexatious and sham litigation in noncriminal trial court cases may be described as legal proceedings that are unwarranted, frivolous, inherently false, without good cause, or filed solely to harass the opposing party; are burdensome and costly for the defendant; and abuse the judicial process and waste limited court resources; and

WHEREAS, Florida has established rule and statutory provisions that address sanctions or other remedial actions that a trial court may take in response to vexatious and sham litigation in noncriminal cases; and

WHEREAS, some of these rule and statutory provisions have been in place for many years; and

WHEREAS, a review of these provisions is necessary to ensure the ongoing effective and efficient administration of justice;

NOW THEREFORE, the Workgroup on Sanctions for Vexatious and Sham Litigation is hereby established for the purpose of recommending whether any enhancements to these sanctions or other remedial actions are warranted based on experience, changes in litigation practice, technology, or other factors that have occurred since enactment of those provisions. Specifically, the Workgroup shall perform the following tasks:

1. Review existing rule and statutory provisions relating to vexatious and sham litigation in noncriminal cases;
2. Survey judges, court staff, and clerks on the utilization of these provisions and on the identification of challenges they encounter in the use of the provisions; and
3. Recommend any rule or statutory amendments that may be warranted to more effectively address vexatious or sham litigation in noncriminal cases.

The Workgroup shall, by June 1, 2022, submit its findings and recommendations to the Chief Justice through the State Courts Administrator.

The following persons are appointed to serve on the Workgroup for a term that expires on June 30, 2022:

The Honorable Alice L. Blackwell
Circuit Court Judge, Ninth Judicial Circuit

The Honorable Jerald D. Bryant
Clerk of the Circuit Court, Okeechobee County

The Honorable Janeice T. Martin
County Court Judge, Collier County

The Honorable Anne-Leigh Gaylord Moe
Circuit Court Judge, Thirteenth Judicial Circuit

The Honorable Carol-Lisa Phillips
Circuit Court Judge, Seventeenth Judicial Circuit

The Honorable Monique Richardson
County Court Judge, Leon County

The Honorable Andrea Teves Smith
Appellate Court Judge, Second District Court of Appeal

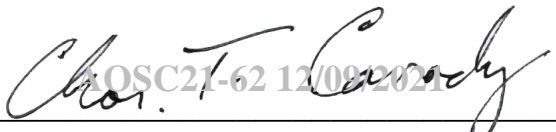
The Honorable Adam S. Tanenbaum
Appellate Court Judge, First District Court of Appeal

The Honorable Carol-Lisa Phillips shall serve as Chair to the Workgroup. Staff support shall be provided by the Office of the State Courts Administrator.

The Workgroup must be cognizant of the limitations on the resources available to support its efforts as it develops a work plan

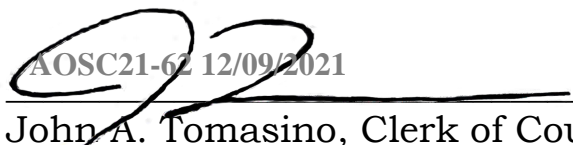
that will accomplish the important tasks assigned in this administrative order. With regard to meetings, the Workgroup should strive to utilize the most economical means appropriate to the type of work being accomplished.

DONE AND ORDERED at Tallahassee, Florida, on December 9, 2021.



Chief Justice Charles T. Canady
AOSC21-62 12/09/2021

ATTEST:



John A. Tomasino, Clerk of Court
AOSC21-62 12/09/2021

