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DAVE LANG
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

IN THE SECOND JUDICIAL CIRCUIT OF THE STATE OF FLORIDA

CHAMBERS OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO.: 97-5

IN RE: MAILING OF COURT ORDERS AND JUDGMENTS TO INMATES AND OTHERS UNDER THE SUPERVISION OF THE FLORIDA DEPARTMENT OF CORRECTIONS

WHEREAS, all petitions for habeas corpus, mandamus, complaints and other suits for relief by prisoners or other persons under the control and/or supervision of the Department of Corrections throughout the State of Florida are filed against said Department and its personnel in the Circuit Courts of the Second Judicial Circuit of Florida which is the situs of said Department, and

WHEREAS, such petitions and other complaints and suits have quadrupled in the last four (4) years thereby severely straining the judicial resources of the Second Judicial Circuit, and

WHEREAS, it has apparently become the policy of the Department of Corrections that legal mail containing court orders and judgments as well as routine mail shall not be forwarded to inmates as they are continuously rotated throughout the Department's statewide system of institutions or are released on supervision, with the result that the courts of this circuit have become inundated with nonforwarded, nondelivered and returned legal mail, and

WHEREAS, the Courts of the Second Judicial Circuit do not have the personnel and other resources to continuously reprocess such returned mail, ascertain current mailing addresses, and remail its orders and judgments in conformity with the law, legal and procedural deadlines and the proper and efficient administration of justice, and

WHEREAS, the Department of Corrections is a party to the subject petitions, complaints and other suits and subject to the jurisdiction of the Courts of the Second Judicial Circuit, and

WHEREAS, under Rule 1 080(h)(1) of the Florida Rules of Civil Procedure copies of all orders or judgments shall be transmitted by the court or under its direction to all parties at the time of entry of the order or judgment, and

WHEREAS, the prompt, proper and efficient administration of justice requires that the inordinate, intolerable and unnecessary burden generated by the mailing policy of the Department of Corrections must immediately be alleviated and corrected,

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CLERK OF THE CIRCUIT COURT & COMPTROLLER
LEON COUNTY
GWEN MARSHALL
UNOFFICIAL DOCUMENT

IT IS THEREFORE,

ORDERED THAT:

1. Henceforth and effective immediately the Department of Corrections shall be responsible for the mailing of all inmate mail generated by the Courts and Clerks of the Second Judicial Circuit Said mailings shall be picked up on a daily basis by the Department from the Courts and Clerks for distribution by the Department to the inmate and supervised population Rule 1 090(c), Fla R Civ P shall apply to all mailings of court orders

2 Should there be unreasonable delay in the mailing of said orders or judgments to the inmate or supervised population by the Department, the Courts of the Second Judicial Circuit, shall issue forthwith an Order to Show Cause upon contempt directed to the Department for noncompliance herewith

3 This order shall be posted in the inmate library of each institution within the Department of Corrections

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida, this 1st day of May, 1997

N SANDERS SAULS
CHIEF JUDGE

Copies furnished to

All Circuit and County Judges
All Circuit and County Judicial Assistants
All Clerks of Court of the Second Judicial Circuit
Tom Long, Court Administrator
Susan Maher, Deputy General Counsel,
Department of Corrections

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CLERK OF CIRCUIT COURT & COMPTROLLER
GWEN MARSHALL
UNOFFICIAL DOCUMENT