

Amendments to the Appellate Rules that transfers much of the circuit court's appellate jurisdiction to the DACs

The Florida Supreme Court recently adopted amendments to the Florida Rules of Appellate Procedure, as proposed by the Appellate Court Rules Committee. The amendments are in response to chapter 2020-61, Laws of Florida, which transfers much of the circuit court's appellate jurisdiction to the district courts of appeal. *See In re: Amends. to Fla. R. App. P.—2020 Fast-Track Report*, No. SC20-1374 (Fla. Oct. 29, 2020).

The Court invites all interested persons to comment on the amendments, which are summarized by the Committee below and reproduced in full online at <https://www.floridasupremecourt.org/Opinions/Amendments-to-Approved-Rules>. All comments must be filed with the Court on or before January 12, 2021, with a certificate of service verifying that a copy has been served on the Committee Chair, Judge Stephanie Williams Ray, First District Court of Appeal, 2000 Drayton Drive, Tallahassee, FL 32399-0001, and on the Bar Staff Liaison to the Committee, Krys Godwin, 651 E. Jefferson Street, Tallahassee, Florida 32399-2300, kgodwin@floridabar.org, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. The Committee Chair has until February 2, 2021, to file a response to any comments filed with the Court. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal) in accordance with *In re Electronic Filing in the Supreme Court of Florida via the Florida Courts E-Filing Portal*, Fla. Admin. Order No. AOSC13-7 (Feb. 18, 2013). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Comments filed via the Portal must be submitted in Microsoft Word 97 or higher. *See In re Electronic Filing in the Florida Supreme Court*, Fla. Admin. Order No. AOSC17-27 (May 9, 2017). Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927; no additional copies are required or will be accepted.

IN THE SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO THE FLORIDA RULES OF APPELLATE PROCEDURE—2020 FAST-TRACK REPORT, CASE NO. SC20-1374

Rule	Reasons for Amendments
9.030 (Jurisdiction of Courts)	<p>Amends subdivision (b)(1)(A) by deleting the reference to county court final orders declaring invalid a state statute or provision of the state constitution.</p> <p>Amends subdivision (b)(4) by deleting the numerical indicator of subdivision (A) and “under these rules” and adding “by general law” within the text. Also deletes “; or” and subdivision (B). The colon at the end of the subdivision’s introductory clause is deleted.</p>
9.140 (Appeal Proceedings in Criminal Cases)	<p>Amends subdivision (c) by deleting the text of subdivision (2) and the numerical indicator of subdivision (3), which text then becomes subdivision (2).</p> <p>Amends subdivision (f)(2)(D) by deleting “(or the state attorney in appeals to circuit court)”.</p> <p>Amends subdivision (f)(4) by deleting “(or state attorney in appeals to circuit court)”.</p> <p>A committee note is added referencing the 2020 repeal of section 924.08, Florida Statutes.</p>
9.141 (Review Proceedings in Collateral or Postconviction Criminal Cases)	Amends subdivision (b)(3)(B)(iii) by deleting “(or state attorney in appeals to the circuit court)”.
9.160 (Discretionary Proceedings to Review Decisions of County Courts)	A committee note is added explaining that section 924.08, Florida Statutes, mentioned in the 1984 committee note has been repealed.

