

IN THE FIRST JUDICIAL CIRCUIT IN AND FOR SANTA ROSA COUNTY, FLORIDA

ADMINISTRATIVE DIRECTIVE SRCAD 2014-02

RE: ELECTRONIC JUDICIAL SALES

WHEREAS, pursuant to section 45.031(10), Florida Statutes, the Clerk of Court for Santa Rosa County, Florida, in the First Judicial Circuit is statutorily authorized to conduct the sale of real or personal property under an order or judgment pursuant to that section by electronic means; and

WHEREAS, the Clerk is in the process of transitioning from on-site to electronic sales and has requested authorization to do so for all sales conducted on or after February 10, 2014; and

WHEREAS, the Clerk has created a website at www.santarosa.realforeclose.com to facilitate electronic sales and will hold its first sale online on February 10, 2014, at 11:00 a.m. Central Standard Time; it is therefore


ORDERED that:

1. Notwithstanding the time and location of the sale provided in an order or judgment, the Clerk is authorized to conduct all sales scheduled on or after February 10, 2014, online at www.santarosa.realforeclose.com at 11:00 a.m. Central Standard Time on the date provided in the order or judgment, so long as the publicized notice of sale properly identifies the online location and time of the sale. The date of the sale provided in such orders and judgments remains in effect.
2. All orders and judgments scheduling or rescheduling a sale on or after February 10, 2014, shall specifically state that the sale will be held online at www.santarosa.realforeclose.com on the date provided in the order or judgment at 11:00 a.m. Central Standard Time and in accordance with the procedures provided in chapter 45, Florida Statutes.
3. Effective immediately, the Clerk shall not be responsible for the publication of the notice of sale required by section 45.031(2), Florida Statutes. The Plaintiff shall now be responsible for such publication. The Plaintiff shall also be required to e-file a copy of the notice of sale and proof of publication with the Clerk at least five (5) days prior to the date of the sale.
4. All orders and judgments scheduling or rescheduling a sale shall provide that the Plaintiff is responsible for the publication of the notice of sale required by section 45.031(2) and is required to e-file a copy of the notice of sale and proof of publication with the Clerk at least five (5) days prior to the date of the sale.

5. The presence of the Plaintiff or its representative(s) shall not be required at the electronic sale, and the sale may be conducted even if the Plaintiff does not participate.
6. Electronic sales ordered by the Court shall only be cancelled by order of the Court, satisfaction of the final judgment, or notice of filing bankruptcy by the borrower.
7. Notwithstanding the provisions of this Administrative Directive, the Court may, in its discretion, require that a sale be conducted on-site if the nature and/or complexity of the case so demands.

This Administrative Directive shall take effect immediately upon execution and shall remain in effect until further order of the Court.

DONE AND ORDERED in Chambers at Milton, Santa Rosa County, Florida, this 14 day of January, 2014.



JOHN L. MILLER
ADMINISTRATIVE JUDGE

Copies to:
The Honorable Terry D. Terrell, Chief Judge
All Santa Rosa County Judges
Magistrate Michelle A. Inere
Donald C. Spencer, Clerk of Court
Robin M. Wright, Trial Court Administrator
Brooke Jones, Court Operations Manager
Janet Gilbert, Family Court Manager