

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. 3.311-4/12


IN RE: DISPOSAL OF
FORECLOSURE TRIAL EXHIBITS

Florida Rule of Judicial Administration 2.430(g) provides that all exhibits, except exhibits from criminal proceedings, shall be retained by the clerk until 90 days after a judgment has become final and if an exhibit is not withdrawn, the clerk may destroy or dispose of the exhibits after 30 days notice. Original Promissory Notes and Mortgages are routinely filed as exhibits in foreclosure trials. These original documents may need to be preserved should the parties renegotiate the loan following completion of the trial.

NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED AND ADJUDGED** as follows:

1. Original notes and mortgages taken into evidence in foreclosure cases will be retained by the clerk in accordance with the Rules of Judicial Administration.
2. If, after the Clerk provides the parties the requisite 30 days notice of destruction, original notes and mortgages have not been retrieved by the parties, the Clerk will place the note and mortgage in the Court file and maintain it in accordance to Records' Retention laws.
3. Parties can seek a Court Order for the return of those original notes and mortgages which were placed in the court file in accordance with this Administrative Order. The Clerk will replace returned original documents from court files with a photocopy.

10 **DONE and SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this day of April 2012.



Peter D. Blanc, Chief Judge