

**FLORIDA DISTRICT COURT OF APPEAL,
FIRST DISTRICT**

Workers' Compensation Cases

NOTICE

The 2008 Florida legislature has provided resources to this court to improve the processing of Workers' Compensation appeals. Part of the resources will be devoted to creating a specialized Workers' Compensation Unit. It is expected that this new unit will, among other things, improve the timeliness of Workers' Compensation appeals. To assist in achieving this goal, the court has instituted a new policy addressing motions for an extension of time to file briefs.

Previously, the court would normally grant a 30 day extension on any unopposed motion for an extension of time. The court will now require in workers' compensation cases all motions for an extension of time to specifically state the circumstances justifying an extension. Motions requesting an extension of time solely on the basis of a busy schedule will not be favorably received. This Notice should minimize any hardship and assist parties in scheduling their time. A movant must include in the motion the number of days requested and a date certain when the brief will be filed.

Additionally, motions for an extension of time, as well as motions relating to the preparation of the record or requesting that oral argument be rescheduled, must contain a certificate indicating that opposing counsel has been consulted and whether an objection has been raised.

If more time is needed to ensure filing of the record on appeal, a motion for an extension of time to file the record should be made by the appellant or the lower tribunal (or, if an extension is needed for preparation of the transcript, by the court reporter). Ultimately, the appellant is responsible for ensuring the preparation of the record on appeal by the lower tribunal. See Florida Rule of Appellate Procedure 9.200 (e).

Generally, the court will not grant a motion for an extension of time which has been filed after the time has expired for serving the brief unless good cause can be shown why the filing was untimely.

Extensions for reply briefs will not be granted except upon showing of extreme emergency.

Counsel should also be aware that in order to expedite processing of these cases, orders granting oral argument may provide less advanced notice of the oral argument date than the normal 60-90 days in other cases. Extensions of time for oral argument will not be granted except to the pre-scheduled back-up date except for the most exigent circumstances.