

# Supreme Court of Florida

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No. SC21-253

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## **IN RE: AMENDMENT TO FLORIDA RULE OF APPELLATE PROCEDURE 9.020.**

September 2, 2021

PER CURIAM.

Before the Court is the report of The Florida Bar's Appellate Court Rules Committee (Committee) proposing an amendment to Florida Rule of Appellate Procedure 9.020 (Definitions). *See* Fla. R. Gen. Prac. & Jud. Admin. 2.140(b)(1). We have jurisdiction. *See* art. V, § 2(a), Fla. Const.

The Committee proposes amending rule 9.020 to include motions filed under Florida Rule of Civil Procedure 1.535 (Remittitur and Additur) in the list of motions that toll rendition of final orders.

The Committee's proposal was approved by the Board of Governors of The Florida Bar by a vote of 39-1. The proposed

amendment was published by both the Committee and the Court. No comments were received following either publication.

Having considered the proposed amendment, the Court hereby amends Florida Rule of Appellate Procedure 9.020 as proposed by the Committee. In subdivision (h)(1)(A), the words “, remittitur, or additur” are added after “motion for new trial” to clarify that timely, authorized motions for remittitur or additur toll rendition.

Accordingly, the Florida Rules of Appellate Procedure are amended as set forth in the appendix to this opinion. New language is indicated by underscoring. The amendments shall become effective on October 1, 2021, at 12:01 a.m.

It is so ordered.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ, COURIEL, and GROSSHANS, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THIS AMENDMENT.

Original Proceeding – Florida Rules of Appellate Procedure

Laura Anne Triplett Roe, Chair, Honorable Stephanie Williams Ray, Past Chair, Appellate Court Rules Committee, Tallahassee, Florida, Joshua E. Doyle, Executive Director, and Krys Godwin, Staff Liaison, The Florida Bar, Tallahassee, Florida,

for Petitioner

## Appendix

### **RULE 9.020. DEFINITIONS**

The following terms have the meanings shown as used in these rules:

**(a)-(g)** [NO CHANGE]

**(h) Rendition of an Order.** An order is rendered when a signed, written order is filed with the clerk of the lower tribunal.

**(1) Motions Tolling Rendition.** The following motions, if authorized and timely filed, toll rendition unless another applicable rule of procedure specifically provides to the contrary:

(A) motion for new trial, remittitur, or additur;

(B) – (L) [NO CHANGE]

**(2) [NO CHANGE]**

**(i)-(l)** [NO CHANGE]

#### **Committee Notes**

**[NO CHANGE]**

#### **Court Commentary**

**[NO CHANGE]**