

**AMENDED ADMINISTRATIVE ORDER AUTHORIZING THE ORANGE COUNTY
CLERK OF COURT TO CONDUCT ON-LINE AUCTIONS OF REAL PROPERTY
IN LIEU OF ON-SITE AUCTIONS**

WHEREAS, pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice; and

WHEREAS, pursuant to the chief judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the chief judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.215(b)(2), (b)(3); and

WHEREAS, pursuant to Section 45.031(10), Florida Statutes, the Clerk of the Courts is statutorily authorized to conduct the sale of real or personal property under an order or judgment by electronic means; and

WHEREAS, on Tuesday, January 4, 2011, the Orange County Clerk of Court implemented its on-line foreclosure auction website at www.myorangeclerk.realforeclose.com and held its first on-line sale on Tuesday, January 18, 2011; and

WHEREAS, pursuant to final judgments of foreclosure or court orders rescheduling sales, entered from September 2010 through December 23, 2010, there are approximately 858 judicial sales scheduled to be auctioned from January 18, 2011 through April 5, 2011 on-site at 425 N. Orange Avenue, Room 350, Orlando, Florida ("Judicial Sales"); and

WHEREAS, since the Clerk is transitioning from on-site to on-line auctions, the Clerk has requested authorization to conduct on-line auctions, in lieu of on-site auctions, for the aforementioned Judicial Sales and states as reasons for the request: (1) the elimination of police officers, security guards, and video cameras at on-site sales to ensure the safety of auction participants; (2) the elimination of impropriety and collusion among bidders by enhancing the fairness and security of the process; (3) enhanced ability of the Clerk to increase the amount of properties that can be sold at each auction; (4) accessibility to interested parties to view, research, bid and manage cases twenty-four hours, seven days a week; (5) increased productivity by enabling the Clerk to move cases from judgment to Certificate of Title more efficiently, and (6) the elimination of confusion of having dual systems for conducting foreclosure sales functioning simultaneously;

NOW THEREFORE, I, Belvin Perry, Jr., pursuant to the authority vested in me as Chief Judge of the Ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration 2.215, hereby order the following, effective **immediately**, unless otherwise provided herein, and to continue until further order:

1. The Orange County Clerk of Court is hereby authorized to conduct on-line auctions of real property, in lieu of on-site auctions, pursuant to final judgments of foreclosure or court orders rescheduling sales entered from September 21, 2010, to the effective date of Administrative Order No. 2011-01 and from that date forward.

2. The Orange County Clerk of Court shall sell the property described in the Final Judgment or any court scheduling the sale, on-line at 11:00 a.m., **beginning March 15, 2011**, at www.myorangeclerk.realforeclose.com, to the highest bidder for cash after giving notice as required by section 45.031, Florida Statutes.

The date of the sale as described in the Final Judgment or any other court order rescheduling said sale remains unchanged. All other provisions of the Final Judgment or any other court order rescheduling the sale shall remain in full force and effect, except where inconsistent with Administrative Order No. 2011-01-01.

Administrative Order No. 2011-01-01 can be viewed at <http://www.ninthcircuit.org/>.

4. Publication Notices may not be cancelled without a court order authorizing such cancellation.

5. On-line sales do not require the presence of the plaintiff or its representative(s).

6. Administrative Order No. 2011-01 is vacated and set aside and has been incorporated and/or amended herein.

DONE AND ORDERED at Orlando, Florida, this 17th day of February, 2011.

_____/s/_____
Belvin Perry, Jr.
Chief Judge

Copies provided to:

Clerk of Court, Orange County
Clerk of Court, Osceola County
General E-Mail Distribution List
<http://www.ninthcircuit.org>