

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 09-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 09-18**

**IN RE: AUTHORIZING THE CLERK OF
THE COURTS TO CONDUCT ON-LINE
AUCTIONS OF REAL PROPERTY IN
LIEU OF ON-SITE AUCTIONS**

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 Monday, December 7, 2009, the Clerk of the Courts for the Eleventh Judicial Circuit implemented its on-line foreclosure auction website at www.miamidade.realforeclose.com and will hold its first on-line sale on Monday, January 11, 2010; and

WHEREAS, pursuant to final judgments of foreclosure or court orders rescheduling sales, entered from January 17, 2007 through November 20, 2009, there are approximately 10,220 judicial sales scheduled to be auctioned from January 13, 2010 through July 23, 2010 on-site at 140 West Flagler Street, Room 908, Miami, 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) increased ability of the Clerk to schedule sales from three to five times weekly and an increased 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 in a more timely manner, and (6) the elimination of confusion of having dual systems for conducting foreclosure sales functioning simultaneously;

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida, under Rule 2.215, of the Florida Rules of Judicial Administration, it is hereby **ORDERED**:

1. The Clerk of the Courts for the Eleventh Judicial Circuit of Florida 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 January 17, 2007 to the effective date of this Administrative Order

and from this date forward.

2. The Clerk, at its expense, shall be responsible for providing written notification via U.S. mail to all parties listed in the Final Judgment of Foreclosure, of the electronic on-line, rather than on-site auctions, to be conducted.
3. The Clerk's notification shall contain the following information:

Pursuant to Administrative Order No. 09-18, the Clerk of the Courts for the Eleventh Judicial Circuit is authorized to conduct on-line auctions of real property in lieu of on-site auctions. The Clerk of the Courts shall sell the property described in the Final Judgment or any court scheduling the sale, **on-line at 9:00 a.m.** at www.miamidade.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. 09-18.

Administrative Order No. 09-18 can be viewed at <http://www.jud11.flcourts.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).

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

DONE AND ORDERED in Chambers at Miami-Dade, Florida, this 10th day of December, 2009.

**JOEL H. BROWN, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**