

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

**CASE NO. 13-1  
(Court Administration)**

**ADMINISTRATIVE ORDER  
NO. 13-08  
(Companion AO to AO No. 11-04)**

**IN RE: CREATION OF THE  
INTERNATIONAL COMMERCIAL  
ARBITRATION COURT, A SUBSECTION  
OF SECTION 40 (“COMPLEX BUSINESS  
LITIGATION SECTION”) IN THE CIRCUIT  
CIVIL DIVISION OF THE ELEVENTH  
JUDICIAL CIRCUIT OF FLORIDA AND  
PROCEDURES FOR THE ASSIGNMENT  
AND REASSIGNMENT OF CASES TO  
THIS SUBSECTION**

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**WHEREAS**, Miami, Florida has become one of the leading venues in the Americas within which to conduct international commercial arbitration proceedings; and

**WHEREAS**, international commercial arbitration is a specialized area of law; and

**WHEREAS**, designating particular trained judges to hear all international commercial arbitration matters will foster greater judicial expertise and understanding of this area of the law, will lead to more uniformity in legal decisions, and help establish a consistent body of case law; and

**WHEREAS**, in 2006, pursuant to Administrative Order No. 06-40, the Eleventh Circuit previously identified the need for experienced, trained judicial adjudication in commercial cases by establishing the Complex Business Litigation Section (Section 40), which was reaffirmed pursuant to Administrative Order No. 11-04, entered by this Court on May 19, 2011, and which section has significant experience in handling complicated business disputes;

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

1. An International Commercial Arbitration (“ICA”) Subsection is created within Section 40, the Complex Business Litigation Section (“ICA Subsection”).

2. The ICA Subsection shall handle all ICA cases and shall consist of judges who have experience in handling complex commercial matters and who receive specific judicial education in the handling of international commercial arbitration (“ICA Judges”). The Chief Judge (or designee) shall specify the training requirements and no judge shall be assigned to ICA cases without having previously completed the educational requirement.
3. ICA cases shall be assigned to Section 40, and then referred to ICA Judges for handling. Only ICA Judges shall serve as emergency alternates in ICA cases, notwithstanding other alternate assignments within the Circuit Civil Division. ICA Judges shall, for SRS purposes, be designated as referral judges for purposes of reporting case handling statistics. The reporting mechanism may be amended as needed by the Administrative Judge (or designee) of the Circuit Civil Division.
4. The Chief Judge shall assign judges to the ICA subsection of the Complex Business Litigation section as are sufficient and appropriate to meet ICA case load demand.

It is further **ORDERED** that the following procedures shall be followed as to the assignment and reassignment of cases with respect to the Complex Business Litigation Section:

#### **Section 1. General Information.**

- a. All cases which involve International Commercial Arbitration shall be assigned to Section 40, the Complex Business Litigation Division. Attorneys filing ICA cases shall designate these cases as CBL cases on the Civil Cover Sheet, pursuant to Form 1.999, Florida Rules of Civil Procedure as modified by the Eleventh Judicial Circuit.
- b. A separate notice (form) shall be filed with the complaint by the filing attorney indicating that the case being filed appears to arise under the Florida International Commercial Arbitration Act (Chapter 684, Florida Statutes; or under the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.*, except matters arising out of a relationship which is entirely between citizens of the United States, unless that relationship involves property located abroad, envisages performance or enforcement abroad, or has some other reasonable relation with one or more foreign states; and all cases reassigned to the ICA Subsection by the Administrative Judge (or designee) of the Circuit Civil Division. For the purpose of this order, a corporation is a citizen of the United States if it is incorporated or has its principal place of business in the United States.
- c. Cases designated as subject to ICA shall be assigned to the ICA subsection by the Administrative Judge (or designee) of the Circuit Civil Division.

**Section 2. Cases Not Subject to the International Commercial Arbitration Subsection.**

Matters which do not arise under the Florida International Commercial Arbitration Act or under the Federal Arbitration Act shall not be assigned to the ICA Subsection, unless the case meets the definition of related case as arising out of the same transaction or occurrence as those matters properly heard before the ICA Subsection.

**Section 3. Assignment of Cases in and out of the International Commercial Arbitration Subsection.**

- a. Judges assigned to the Circuit Civil Division and litigants who have cases filed in the Circuit Civil Division may submit a request to the Administrative Judge (or designee) of the Circuit Civil Division to assign/transfer a pending case that meets the criteria of the ICA Subsection.
- b. If any party disagrees with the assignment or lack of assignment of a case to the ICA Subsection, then that party may submit a request for reconsideration to the Administrative Judge (or designee) of the Circuit Civil Division for re-evaluation and/or case re-assignment.
- c. The Administrative Judge (or designee) of the Circuit Civil Division shall resolve controversies which may arise concerning the assignment/transfer of any case to or from the ICA Subsection. If there is an issue as whether a matter is subject to arbitration, that controversy shall be assigned to the ICA Subsection for determination.

**Section 4. Complex Business Litigation Section Procedures.**

Matters assigned to the ICA Subsection are not subject to the Complex Business Litigation Section Procedures for the Eleventh Judicial Circuit except as otherwise ordered by the judge assigned to the case, except that all filings in the ICA Subsection shall follow the directions of CBL with regard to e-filing, e-courtesy, and [cbl@jud11.flcourts.org](mailto:cbl@jud11.flcourts.org), which may be found on the CBL webpage.

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

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida this 3rd of December, 2013.

BERTILA SOTO, CHIEF JUDGE  
ELEVENTH JUDICIAL CIRCUIT