



**IN THE CIRCUIT COURT OF THE FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY**

ADMINISTRATIVE ORDER # 2010-01-01

RE: ELECTRONIC JUDICIAL SALES

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

WHEREAS, on Monday, May 3rd, 2010, the Clerk of Court & Comptroller for Bay County, Florida in the Fourteenth Judicial Circuit implemented its on-line foreclosure auction website at www.bay.realforeclose.com and will hold its first on-line sale on Monday, June 14, 2010 at 11:00am Central time; 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 sales conducted on or after June 14, 2010 for: (1) the elimination of impact to Bailiffs at on-site sales to ensure the safety of auction participants; (2) the substantial elimination of impropriety and collusion among bidders by enhancing the fairness and security of the process; (3) increased ability of the Clerk to facilitate an increased amount of sales and 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; (6) the elimination of confusion of having dual systems for conducting foreclosure sales functioning simultaneously; and (7) improved bidder participation opportunity for those who are mobility impaired.

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

1. The Clerk of Court & Comptroller for Bay County, Florida in the Fourteenth 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 scheduling or rescheduling sales whereby the date of said judicial sale is on or after June 14, 2010 to be held on-line at www.bay.realforeclose.com at 11:00 am Central time notwithstanding the date and location provisions in the final judgments of foreclosure or court orders scheduling or rescheduling a judicial sale provided the corresponding publicized notice of sale required by Section 45.031, Florida Statutes properly identifies the on-line location of said sale.
2. The corresponding date and location wording for future final judgments should read substantially as follows; ***"If the total sum with interest at the rate prescribed by law and all costs of this action accruing subsequent to this judgment are not paid, the Clerk of this Court shall sell the property at public sale to the highest bidder for cash, except as set forth hereinafter, on _____, at 11:00 am Central time at www.bay.realforeclose.com in accordance with Chapter 45, Florida Statutes."***
3. The Clerk of the Court for Bay County, Florida shall sell the property described in the affected Final Judgment or any court order scheduling or rescheduling said sale, **on-line at 11:00 a.m. Central time at www.bay.realforeclose.com**, to the highest bidder in accordance with the deposit and payment procedures described at www.bay.realforeclose.com after giving notice as required by Section 45.031, Florida Statutes.
4. **The date of the sale as described in the existing Final Judgment or any other court order rescheduling said sale remains unchanged.**
5. Sales ordered by the court may only be cancelled by order of the court, satisfaction of the judgment or a notice of filing bankruptcy by the borrower.
6. On-line sales do not require the presence of the plaintiff or its representative(s). The sale will be conducted even if the plaintiff does not participate.
7. At the discretion of the Judge with reference to this Administrative Order, a judicial sale may be specifically required to be conducted on-site instead of on-line due to the nature and/or complexity of the case and/or property to be sold.

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 Bay County, Florida for the Fourteenth Judicial Circuit of Florida this 20th day of May, 2010.



**MICHAEL C. OVERSTREET
ADMINISTRATIVE CIVIL JUDGE**



HENTZ McCLELLAN, CHIEF JUDGE



A CERTIFIED TRUE COPY
BILL KINSAUL CLERK
OF THE CIRCUIT COURT

By 
Deputy Clerk