

IN RE:

COUNTY COURT CIVIL :
EX PARTE MOTIONS TO COMPEL :
DISCOVERY AND SPECIAL SET HEARINGS :
_____ :

In accordance with the authority vested in the Chief Judge by Florida Rule of Judicial Administration 2.050, it is

ORDERED that:

EX PARTE MOTIONS TO COMPEL DISCOVERY

1. When a motion to compel discovery alleges a complete failure to respond or object to discovery, and there has been no request for extension, a county judge may enter an ex parte order requiring compliance with the original discovery demand within ten (10) days of entry of the order. Movant shall submit the proposed order and the envelopes. Sanctions may be imposed if discovery is not completed within ten (10) days from the date of entry of the ex parte order, necessitating a hearing on a motion to compel, or if a party fails to appear for a properly noticed hearing on a motion to compel.

SPECIAL SET HEARINGS

2. Special set hearings in county court may only be canceled by parties if an agreement on the merits has been reached and the parties have entered into a written stipulation or with court approval.

3. Prior to setting a special set hearing, the party or attorney noticing the motion for hearing shall attempt to resolve the matter and shall certify the good faith attempt to resolve.

4. To comply with the above, every attorney setting a hearing shall execute the following certification: I hereby certify that I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing.

5. Prior to appearing before the court, the parties shall discuss the issues raised in the pending motion, and both parties shall be prepared to certify at the hearing they have made a good faith effort to resolve the issues.

6. Failure to comply with the procedures designated in the above paragraphs may result in the hearing being stricken from the docket or such other sanctions as the court deems appropriate.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida this 29th day of June, 2001.

/s/DALE ROSS
DALE ROSS, Chief Judge

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