

MARC H. GOLD
CIRCUIT JUDGE
SEVENTEENTH JUDICIAL CIRCUIT
OF FLORIDA



BROWARD COUNTY
COURTHOUSE
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CIRCUIT COURT JUDGE MARC H. GOLD
CIVIL DIVISION (14)
Chambers 1005 (B)
Judicial Assistant Wendy Miller-Yost
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Please read the following Procedures and Local Rule 10(A) BEFORE calling Division 14 by phone. We find that most of the commonly asked questions are answered herein.

PROCEDURES

All uniform motion calendar hearings must be set online. Attach your online receipt to the motion, placing it on top. All lawyers setting 5 minute hearings on Motion Calendar are required to register an account and schedule such hearings at www.17th.flcourts.org. Click "online scheduling" in the lower right hand corner, and follow the procedures outlined. If you have any difficulty in the registration or scheduling of hearings, send an e-mail to calendar@17th.flcourts.org with a description of your problem, and it will be attended to at that time. **Do Not Call the Judicial Assistant for assistance.**

DO NOT TRY TO SQUEEZE A HEARING INTO A TIME SLOT THAT REQUIRES ADDITIONAL TIME - OVER ESTIMATE THE AMOUNT OF TIME REQUIRED FOR YOUR HEARING OR YOU WILL RUN THE RISK OF BEING CUT-OFF AS WELL AS SANCTIONS!

ATTACH THE CONFIRMATION COPY FROM THE SCHEDULING NOTICE TO THE TOP OF THE MOTION, AND INCLUDE ON THE CAPTION OF THE MOTION & THE NOTICE OF HEARING THE FOLLOWING STATEMENT: "THIS MOTION WAS SCHEDULED USING THE ONLINE MOTION CALENDAR SCHEDULING" SYSTEM". COPIES MUST BE RECEIVED NO LATER THAN 5 WORKING DAYS PRIOR TO YOUR HEARING. BRING AN EXTRA COPY OF THE MOTION(S) AND ORDER(S) TO BE HANDED TO THE JUDGE AT THE TIME OF THE HEARING

If you fail to follow the requirement of scheduling motion calendar hearings on the court's Online Motion Calendar Scheduling system, your motion will not be heard.

MOTION CALENDAR IS HEARD: Monday – Thursday @ **8:45** A.M., in Room #1005B pursuant to Local Rule 10(A). (Fridays are reserved for specially set hearings, trials, and for research and writing that the Judge needs to do in his office). All motions will be heard in the order when all parties are present. If you need to attend motion calendar by **phone** you need to submit your motion along with order(s) and stamped envelopes for the Judge's consideration prior to your hearing.

MOTION CALENDAR SUSPENSION:

January 31 – February 4, 2011

April 18 – 25, 2011

May 2 – 6, 2011

May 16 – 20, 2011

May 23 – 27, 2011

Attorneys and Unrepresented parties: Motion Calendar begins promptly at **8:45** a.m. You must sign in and be present. You must telephone opposing counsel if he or she has not appeared, to see whether counsel had a personal problem that caused an inability to attend. Otherwise, if opposing counsel does not appear by 9:30 a.m., the court will hear the case.

FORECLOSURES: CONTACT (954) 831-5707 FOR PROCEDURES ON RESIDENTIAL FORECLOSURE MATTERS. IF YOU ARE ATTEMPTING TO SCHEDULE A MOTION CALENDAR HEARING ON A CONDO OR COMMERCIAL FORECLOSURE YOU MUST CLEAR A DATE WITH OPPOSING COUNSEL AND DO A NOTICE REFLECTING THAT AGREED DATE. YOU CANNOT DO THESE FORECLOSURES ON LINE. YOU WILL NEED TO MAIL YOUR NOTICE OF HEARING WITH A COURTESY COPY OF YOUR MOTION TO THE JUDICIAL ASSISTANT ALONG WITH A BRIGHT, LARGE NOTE STATING WHETHER IT IS A CONDO OR COMMERCIAL FORECLOSURE.

SPECIAL SET HEARINGS: 15 and 30 minute hearings are available at www.17th.flcourts.org. All hearings **greater than 30 minutes** must be scheduled with the Judicial Assistant. Regardless of the method used to schedule your special set hearings, you must clear dates with opposing counsel and/or pro se litigants prior to scheduling your special set hearing.

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Any Special Set Hearings, of more than 1 hour cannot be cancelled unless ordered by the Court or Parties have an agreed order resolving or withdrawing with prejudice all matters noticed for the Special set hearing time. PROVIDE ADEQUATE TIME TO RESOLVE THE ISSUE!

EMERGENCY HEARINGS PROCEDURE:

The Judge's Judicial Assistant is not permitted to schedule any emergency hearings. In order to obtain a hearing time on your emergency hearing, your very first step is to provide a copy of the motion to the Judge's Office, along with a cover letter advising how much time is requested for your hearing. After the judge has reviewed the motion, he will give instructions to his Judicial Assistant as to whether he will agree to schedule a hearing. The Judicial Assistant will then contact you with regard to the Judge's determination

CASE MANAGEMENT CONFERENCES:

If you are ordered to appear in court on a case management conference, court appearance is **MANDATORY**, unless an Order of Dismissal is filed on the case. Failure to show to a case management conference will result in the case being dismissed.

MOTIONS TO WITHDRAW: PROPOSED ORDERS MUST BE SIGNED BY THE CLIENT AND SHOULD INCLUDE A PARAGRAPH THAT STATES THAT "ALL FUTURE PLEADINGS FOR THE ___[PARTY BEING WITHDRAWN FROM]___, SHALL BE SERVED UPON ___[INSERT NAME AND ADDRESS OF FORMER CLIENT. CLIENT'S CONSENT IS ALSO REQUIRED.

MOTIONS FOR RE-HEARING: You must file the motion with the clerk and send a courtesy copy to the Judge's chambers in compliance with Local Rule 7.

EX-PARTE/AGREED ORDERS: When sending in orders (EX PARTE, STIPUATIONS, AGREED, ETC.) for the Judge's signature: Send a cover letter and copy of motion. Include enough copies of "proposed" order for **ALL** parties with self addressed stamped envelopes. All parties must be copied on all correspondence and pleadings.

NOTICE FOR TRIAL: Available at www.17th.flcourts.org once you have coordinated a month with opposing counsel "click online scheduling" in the lower right hand corner and follow the procedures outlined. **IT IS NECESSARY FOR YOU TO FORWARD SIX (6) COPIES OF YOUR TRIAL ORDER ALONG WITH SELF-ADDRESSED STAMPED ENVELOPES FOR ALL PARTIES INCLUDING A STAMPED ENVELOPE FOR THE MEDIATOR TO BE ASSIGNED.**

Please review the dates below for the trial dockets that are currently available. If you or opposing counsel may have a vacation scheduled for the future, it is best to confer with all counsel to coordinate a calendar that is acceptable to all parties. Please indicate on your Notice for Trial the docket **agreed upon**, and advise the court with any request not to schedule the case for a particular docket that conflicts with your personal schedule or the schedule of any expert or other critical witness. If there is no agreement between the parties, the court will schedule the trial on the next available docket. If any party has a conflict with a scheduled trial date, a motion to re-set the case for trial will only be entertained if filed within 20 days following the entry of the order scheduling the case for trial. Otherwise, vacations or other conflicts that should have been known about at the time the case was set for trial will be accorded less weight in a motion to continue, roll-over, or re-set the trial. Vacations and other conflicts that thereafter arise, will be given the weight that they deserve depending when the conflict occurred with respect to how long the case has been set for trial.

2011 TRIAL DOCKET SCHEDULE FOR NON JURY AND JURY

Calendar Call @ **10:30** A.M.

CALENDAR CALL

January 3, 2011
February 7, 2011
March 7, 2011
April 4, 2011

June 6, 2011
July 5, 2011
August 1, 2011
September 6, 2011
October 3, 2011
November 7, 2011

TRIAL WEEK DOCKET

January 10 – 27, 2011
February 14 – March 3, 2011
March 14 – 31, 2011
April 11 – 29, 2011

June 13 – 30, 2011
July 11 – 28, 2011
August 8 – September 1, 2011
September 12 – 29, 2011
October 10 – 27, 2011
November 14 – December 1, 2011

Attendance at Calendar Call is **mandatory. Telephone attendance is not permitted at Calendar Call. No motions of any kind will be heard at the time of Calendar Call.**

Continuances of Trial:

All continuances of Trial require a hearing on the Uniform Motion Calendar.

TRIAL POOL:

If your case is not selected as the first case for trial at the Calendar Call, it is very likely that your case will be placed in the Civil Trial Pool, where other Judges with time available will be assigned your case for trial. Therefore, be prepared! You must not assume your case will not be reached. Your case may be called for trial during any day of the docket.

ROLLING OVER OF CASES NOT REACHED: IT IS CUSTOMARY FOR THE COURT TO ROLL-OVER ALL CASES NOT REACHED ON A PARTICULAR DOCKET TO THE VERY NEXT TRIAL DOCKET. THE COURT WILL THEN ISSUE AN ORDER SPECIFYING THE TRIAL DOCKET. IF YOU HAVE NOT RECEIVED SUCH AN ORDER, CALL THE JUDICIAL ASSISTANT TO INQUIRE WHEN YOUR CASE WILL BE SET.

COURT HOLIDAYS: Do **not** schedule hearings on the following dates:

January 17, 2011 (Martin Luther King, Jr. Birthday)

February 21, 2011 (President's Day)

April 22, 2011 (Good Friday)

May 30, 2011 (Memorial Day)

July 4, 2011 (Independence Day – observed)

September 5, 2011 (Labor Day)

September 29, 2011 (Rosh Hashanah)

November 11, 2011 (Veteran's Day)

November 24, 2011 (Thanksgiving Day)

November 25, 2011 (Day after Thanksgiving)

December 26, 2011 (Christmas Day – observed)

For additional information regarding the 17th Judicial Circuit please visit our web site at www.17th.flcourts.org.

We do **not have a fax machine. All correspondence must be mailed or hand delivered to the Judge's Chambers 1005B.**

Reminder:

PLEASE **do not** call before 10:00 a.m. during Motion Calendar. **Do not** call to inquire whether the judge has signed a particular order and **do not** call to ask if the judge has received any document or pleading. We are unable to answer such questions at the current time because of the enormous volume of mail received each day. We appreciate your cooperation.

Thank you for your assistance and patience.