

MEL GROSSMAN
Circuit Judge
Seventeenth Judicial Circuit of Florida

BROWARD COUNTY COURTHOUSE
201 S.E. 6th Street, Room 790
Fort Lauderdale, FL 33301

TO: All Attorneys Practicing in Division 41 / 43
RE: Tuesday and Thursday Ex Parte and Uncontested Motion Calendar
DATE: January 13, 2000

PLEASE NOTE THESE IMPORTANT CHANGES

JUDGE GROSSMAN'S EX PARTE AND UNCONTESTED MOTION CALENDAR

As a result of the success and positive comments received regarding the Thursday morning Ex Parte and Uncontested Calendar, Judge Grossman will hear ex parte and uncontested matters on Tuesday and Thursday mornings in room 790.

This change will further work towards alleviating the backlog in the Probate division and to decrease the time it takes for attorneys to receive orders on probate matters.

DIVISIONS AFFECTED:

Please note that this change in the ex parte procedure is for **Judge Grossman's** division ONLY (41 / 43) and will now take place on Tuesday and Thursday mornings. Beginning on May 9, 2000, Judge Seidlin will follow this same procedure. This change will not affect the ex parte procedure currently used by Judge Speiser.

START DATE AND TIME:

As of January 25, 2000, Judge Grossman's Tuesday and Thursday morning ex parte and uncontested calendar will be held from 9:00 a.m. until 10:00 a.m..

MATTERS TO BE HEARD:

Any uncontested probate matter, with the exception of:

- *Attorney's fees and costs
- *Guardian's fees and costs
- *Discharge of Estates
- *Approval of Minor Settlements
- *Appointments of Guardians unless the applicant has been investigated and approved by the Court Monitor's Office

DEADLINE FOR FILING:

1. For Tuesday morning's calendar: Any pleadings, petitions, or motions must be hand-delivered to the probate clerk's office, or faxed to the probate clerk by 11 a.m. on the Thursday immediately prior and must include a completed Ex Parte/Uncontested Motion Calendar Request Form (see attached form).

2. For Thursday morning's calendar: Any pleadings, petitions, or motions must be hand-delivered to the probate clerk's office, or faxed to the probate clerk by 11 a.m. on the Tuesday immediately prior and must include a completed Ex Parte/Uncontested Motion Calendar Request Form (see attached form).

3. No new files can be opened by fax. Any attorney who wants to open a new file will need to hand-deliver the appropriate pleadings and the appropriate filing fee (method of payment will either be money order or office check) to the probate clerk's office by 11 a.m. on the Thursday immediately prior for Tuesday's calendar, or on the Tuesday immediately prior for Thursday's calendar.

4. If the pleadings have been faxed to the clerk, attorneys will need to bring the originals with them to court on Tuesday or Thursday morning.

5. The fax number for the probate clerk is: (954) 831-6457.

NOTE: Any pleadings, petitions, or motions that have been delivered to the probate clerk's office by U.S. Mail will NOT be considered for the Ex Parte and Uncontested docket. Any pleadings, motions, or petitions that have been mailed to the clerk will be clocked in as usual and will come up to the Judge for signature during the normal course of business.

REQUEST FORM:

Attorneys will be required to complete the "Ex Parte/Uncontested Motion Calendar Request Form" with any petitions or pleadings that have been faxed or hand-delivered to the probate clerk's office. A copy of that form is attached to this memo.

ESTATE OPENINGS:

An attorney will be permitted to open a new estate during the ex parte/uncontested motion calendar. However, when the Personal Representative of the estate is not a Florida resident, a bond in the amount of the assets of the estate will be required. The attorney may still appear before the Court on the ex parte/uncontested motion calendar to have the Court sign the Order Admitting Will and setting the amount of the bond. Once the bond has been obtained, the attorney should post the bond with the clerk and either appear on a subsequent Tuesday or Thursday morning to have the Letters of Administration signed, or wait for the clerk to send the Letters of Administration to the Judge for signature.

LOCATION:

Upon arriving at the courthouse on Tuesday or Thursday morning, attorneys should proceed directly to Judge Grossman's Chambers, Room 790. The files will be in chambers.

COPIES:

A clerk will certify copies in chambers. Attorneys will be limited to five (5) certified copies, and should bring all necessary copies with them on Tuesday or Thursday morning. Please bring an office check in the amount of \$1.00 for each certified copy being requested.

CONTESTED MATTERS:

If the matter is contested, the attorneys will need to contact Judge Grossman's Judicial Assistant, Millie Schwartz, at (954) 831-7759 to have the matter scheduled.

EMERGENCIES:

If the matter is a true emergency, and the attorney has missed the morning cutoff times for either Tuesday or Thursday morning, the attorney may send a letter to Judge Grossman's office for approval to be placed on the ex parte and uncontested docket.

cc: Dale Ross, Chief Judge
Judge Larry Seidlin
Judge Mark A. Speiser
Carol Ortman, Trial Court Administrator
Barbara Morgan, Manager, Probate Clerk's Office

UNCONTESTED/EX PARTE CALENDAR REQUEST FORM FOR
JUDGE GROSSMANS' TUESDAY & THURSDAY
MORNING HEARING SCHEDULES (9:00-10:00 A.M.)

ATTORNEY _____

FILE # _____

IN RE: _____

I HEREBY REQUEST TO ATTEND JUDGE GROSSMAN'S UNCONTESTED/EX PARTE CALENDAR TO BE HELD ON TUESDAY / THURSDAY (circle applicable day), the _____ day of _____, 2000, IN CHAMBERS ROOM 790, ON THE FOLLOWING MATTERS:

1. _____
2. _____
3. _____
4. _____

PLEASE NOTE: THE COURT WILL NOT HEAR THE FOLLOWING MATTERS DURING ITS UNCONTESTED/EX PARTE CALENDAR SCHEDULE:

1. Attorney's Fees & Costs
2. Guardian's Fees & Costs
3. Discharge of Estates
4. Approval of Minor Settlements
5. Appointments of Guardians unless the Guardian has been investigated and approved by the Court Monitor's Office

I HEREBY CERTIFY that the matters brought before this Court are uncontested, all interested parties have received any required notice of said petition/pleading, and I have not received notification that any party objects to the bringing of said petition/pleading before this Court.

ATTORNEY'S SIGNATURE _____

BAR # _____