

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. IV-90-A-4

IN RE:

PROBATE DIVISION
A. MOTION CALENDAR
B. EX PARTE

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

ORDERED that:

A. Motion Calendar

Judges of the probate division shall maintain a motion calendar from 9:00 A.M. to 9:45 A.M., Monday and Wednesday. The motion calendar shall end PROMPTLY at 9:45 A.M. All parties shall be prepared to proceed at 9:00 A.M..

1. Prior to setting a matter on the motion calendar, the party or attorney noticing the motion shall attempt to resolve the matter and shall certify the good faith attempt to resolve.

2. No more than two motions may be noticed for each case on any given day except by leave of court.

3. Copies of the notice of hearing, the motion, and any document to which the motion is addressed shall be in the hands of the judicial assistant and opposing party four (4) working days in advance of the hearing. The original notice shall be sent to the Clerk.

4. Motions may be heard on the motion calendar provided such matters can be conducted in ten (10) minutes, equally allocated among the parties.

5. Any party requesting relief shall furnish the court with a prepared order and sufficient copies with stamped addressed envelopes for all parties. Failure to comply with procedures designated in paragraphs 1 through 5 inclusive may result in the hearing being stricken from the docket.

6. When the motion calendar has been filled the judge's office will notify the party noticing any hearings which cannot be reached. The noticing party shall call opposing counsel and renotice the hearing.

B. Ex Parte Matters

1. Ex parte matters will not be heard during motion calendar. Urgent ex parte matters will be heard from 9:30 A.M. to 10:00 A.M. on Tuesday and Thursday. Matters deemed urgent are:

Estate Matters:

- a) Petitions to open a safety deposit box;
- b) Petitions to create a curatorship;
- c) Petitions to protect assets where there is an allegation under oath regarding the necessity of same;
- d) Petitions to bury or cremate a decedent;
- e) Petitions to sell real property where closing is imminent.

Guardianship Matters:

- a) Petitions alleging a potential danger to a ward;
- b) Petitions requiring actions to protect the assets of the ward;
- c) Petitions appointing an emergency temporary guardian.

2. For urgent ex parte matters the attorney is required to prepare the necessary petition and the proposed order, and to get the court file from the Probate Clerk's Office prior to appearing before the judge. At said time the Probate Clerk will check through the papers to be submitted to make sure everything is in order. Any file that is not in proper order will not be given to the attorney.

3. NO APPLICATION FOR FEES WILL BE DEEMED AN URGENT MATTER.

DONE AND ORDERED in Fort Lauderdale, Broward County, Florida, this 31 day of December, 1990.

/s/MIETTE K. BURNSTEIN
MIETTE K. BURNSTEIN, Chief Judge