

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

Order Number 2009-88-PRC

**ADMINISTRATIVE ORDER ESTABLISHING  
MOTION CALENDAR AND EX PARTE HEARING PROCEDURES**

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(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “develop an administrative plan for the efficient and proper administration of all courts within that circuit.”

(b) In accordance with the authority vested in the chief judge by Florida Rule of Judicial Administration 2.215, it is ordered:

**(1) Motion Calendar.**

- (a) Probate divisions shall conduct motion calendar hearings between 9:00 a.m. and 10:00 a.m. on Monday and Wednesday of every week.
- (b) Only non-evidentiary petitions or motions shall be set on motion calendar which can be heard and resolved in a total of ten (10) minutes equally allocated to all parties. If a petition or motion requires the taking of evidence or more than ten (10) minutes then it shall not be set on motion calendar.
- (c) A petition or motion shall not be set for hearing on motion calendar unless the attorney or interested person noticing the hearing first attempted in good faith to resolve the motion.
- (d) No more than two (2) petitions or motions for a case may be noticed for hearing on the same date.
- (e) A courtesy copy of the notice of hearing, petition or motion and any supporting documents shall be delivered to the judge and all parties at least four (4) business days prior to hearing. All original notices, pleadings, and papers shall be filed with the Clerk of Court.
- (f) At the hearing the noticing party shall furnish the judge with a proposed order and sufficient copies with stamped addressed envelopes for all parties.
- (g) If the date noticed for motion calendar is filled, the judge’s office will notify the noticing party. The noticing party shall call and advise all parties that uniform motion calendar is filled and the motion will be re-noticed for hearing.

**(2) Ex Parte Docket.**

- (a) Probate divisions shall conduct ex parte dockets between 9:00 a.m. and 10:00 a.m. on Tuesday and Thursday of every week.
- (b) Only non-evidentiary petitions or motions shall be set on an ex parte which can be heard and resolved in a total of five (5) minutes. If a petition or motion requires the taking of evidence or more than five (5) minutes then it shall not be set on motion calendar.
- (c) The following shall not be heard at an ex parte docket:
  - Attorney's Fees & Costs
  - Guardian's Fees & Costs
  - Discharge of Personal Representative(s)
  - Discharge of Guardian(s)
  - Approval of Minor Settlement
  - Appointments of Guardian(s)<sup>1</sup>

DONE AND ORDERED in chambers at Fort Lauderdale, Broward County, Florida on July 27, 2009.

s/Victor Tobin  
Victor Tobin, Chief Judge

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<sup>1</sup> A Petition for Appointment of Guardian may be heard on an ex parte docket if the proposed guardian's credit and criminal investigation is complete and approved.