

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

Order Number 2014-32-Civ  
2014-32-CO

**AMENDED ADMINISTRATIVE ORDER AS TO CIRCUIT CIVIL  
AND COUNTY CIVIL EMERGENCY MATTERS**

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(a) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge shall “considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(b) Pleadings and Motions filed as emergencies disrupt court procedures and interrupt work on cases that are currently pending. Consequently, an attorney or party who seeks “emergency” review loses credibility when the court determines there is no true emergency. See, *USAA Cas. Ins. Co. V. Pembroke Pines MRI, Inc.*, 24 So. 3d 588 (Fla. 4th DCA 2009).

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

(1) If a party in a civil case has an emergency matter it shall be presented to the assigned division judge. If the division judge is absent or otherwise unavailable, the matter shall be taken to the Office of the Trial Court Administrator who shall attempt to locate an alternate judge for assignment prior to the matter being presented to the civil duty judge or county relief judge. The circuit judges shall have all the power and jurisdiction of a county judge if he or she is assigned an emergency county court matter. The county judges shall have all the power and jurisdiction of a circuit judge if he or she is assigned an emergency circuit court matter.

Any party requesting emergency relief for any motion, appeal or petition shall file a separate notice of “Request for Emergency Relief.” The “Request for Emergency Relief” shall be filed simultaneously with the motion, appeal or petition for which emergency relief is sought. The required form is attached as Exhibit A to this order.

(2) Attorneys shall file the Request for Emergency Relief with the Efiling Authority Portal and bring the receipt of the filing to the Clerk of Court. Attorneys shall also ensure that they select the emergency option to indicate the filing is in compliance with this Administrative Order. The Clerk of Court shall locate the Request for Emergency Relief in the pending queue and if appropriate, immediately accept the document or advise the filing attorney of deficiencies to be corrected for acceptance. The filing attorney shall only proceed to the division judge or the Office of the Trial Court

Administrator upon the Clerk of Court's acceptance and docketing of the Request for Emergency Relief.

(3) Self represented parties may register with the Efiling Authority Portal and file the Request for Emergency Relief with the Efiling Authority Portal and bring the receipt of the filing to the Clerk of Court. The necessary form is located on the website for the 17th Judicial Circuit at [www.17th.flcourts.org](http://www.17th.flcourts.org). The Clerk of Court shall locate the Request for Emergency Relief in the pending queue and if appropriate, immediately accept the document or advise the filing party of deficiencies to be corrected for acceptance. The filing party shall only proceed to the division judge or the Office of the Trial Court Administrator upon the Clerk of Court's acceptance and docketing of the Motion for Emergency Relief.

(4) If a self represented party does not file the Request for Emergency Relief with the Efiling Authority Portal then the party shall bring the original motion and request to the Clerk of Court for filing.

(5) No emergency motion shall be afforded emergency relief until the court determines whether an emergency exists. An emergency is defined as a matter that will result in irreparable harm, death or result in a manifest injury if immediate relief is not afforded. Matters which do not meet this definition shall not be submitted to the court as an "emergency".

(6) Any party or attorney who violates this Administrative Order by requesting emergency relief without an objectively reasonable basis is subject to sanctions pursuant to Section 57.105, Fla. Stat., or any other sanction as authorized by law, rule of procedure, or case.

(7) This Administrative Order vacates and supersedes Administrative Order II-90-A-3.

**DONE AND ORDERED** in chambers at Fort Lauderdale, Broward County, Florida on  
September 30, 2014.

s/ Peter M. Weinstein  
Peter M. Weinstein, Chief Judge

Form "A"

IN THE CIRCUIT/COUNTY COURT OF THE  
17<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
BROWARD COUNTY

Case No.:  
Judge/Division:

\_\_\_\_\_ /

REQUEST FOR EMERGENCY RELIEF

The attached motion, appeal or petition meets criteria for consideration for emergency relief pursuant to Amended Administrative Order 2014-32-CIV/2014-32-CO:

1. The nature of the emergency:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. If an order is at issue, the name of the Judge and date of the order:

\_\_\_\_\_

3. This request for emergency relief has not been previously denied by any Judge.

*I hereby certify there exists a reasonably objective basis to request emergency relief as set forth in the attached motion.*

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Phone \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of Counsel or Self-Represented Party

CERTIFICATE OF SERVICE TO ALL COUNSEL/PARTIES

Form "A"