

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

LOCAL RULE NO. 10A

IN RE:

UNIFORM MOTION CALENDAR
EX PARTE MOTIONS TO COMPEL
DISCOVERY, AND
SPECIAL SET HEARINGS

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:

1. The Circuit Judges of the general civil/family division (excluding juvenile/dependency) shall maintain a uniform motion calendar from 8:45 A.M. to 9:30 A.M., Monday through Thursday. The motion calendar shall end PROMPTLY at 9:30 A.M. All parties shall be prepared to proceed at 8:45 A.M., and if one party fails to timely appear, the matter may proceed on the merits in his/her absence.

2. 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.

3. To comply with the above, every party or attorney setting a motion for hearing shall execute the following certification: I hereby certify that A) I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing, and B) the issues before the Court may be heard and resolved by the court within five (5) minutes.

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

5. Copies of the notice of hearing, the motion, and any pleading or interrogatories to which the motion is addressed shall be in the hands of the Judicial Assistant and opposing party at least four (4) working days in advance of the hearing. The original notice shall be filed with the Clerk.

6. Ex parte matters, non-evidentiary motions, and uncontested proceedings for adoptions, or dissolution may be heard on the uniform motion calendar, provided such matters can be

conducted in five (5) minutes equally allocated among the parties and the moving party shall so certify as specified in paragraph 3.

7. Prior to appearing before the court, the parties shall discuss the issues raised in the pending motion, and both parties shall be prepared to certify at the hearing they have made a good faith effort to resolve the issues.

8. Any party requesting relief shall furnish the court with a prepared form of order and sufficient copies with stamped addressed envelopes for all parties.

9. When the motion calendar has been filled, the judge's office shall notify the party noticing any hearings which cannot be reached. The noticing party shall call opposing counsel and re-notice the hearing.

10. Motion calendar hearings may be canceled by the attorney who set the hearing.

11. Hearing officers/general masters shall conduct a motion calendar, the dates and times of which shall be determined by the hearing officer/general master or by administrative order.

12. Failure to comply with the procedures designated in the above paragraphs may result in the hearing being stricken from the docket or such other sanctions as the court deems appropriate.

13. When a motion to compel alleges a complete failure to respond or object to discovery, and there has been no request for extension, an ex parte order may be entered requiring compliance with the original discovery demand within ten (10) days of the signing of the order. Movant shall submit the proposed order and the envelopes. Sanctions may be imposed if discovery is not completed within ten (10) days from the date of the ex parte order is entered necessitating a hearing on a motion to compel, or if a party fails to appear for a properly noticed hearing on a motion to compel.

SPECIAL SET HEARINGS

14. All matters, other than motion calendar hearings, shall be scheduled with the judge before whom the matter is assigned and noticed pursuant to instructions of that division.

15. Special set hearings may only be canceled by parties if an agreement on the merits has been reached and the parties have entered into a written stipulation, or with court approval.

16. If a matter is set for trial in the family law division, the parties shall appear ready to proceed unless a final order has been entered prior thereto. If the family law division matter is resolved but the final order has not been previously entered, the

parties shall appear with a court reporter to dictate their settlement into the record at the time set for trial.

17. Prior to setting a special set hearing, the party or attorney noticing the motion for hearing shall attempt to resolve the matter and shall certify the good faith attempt to resolve.

18. To comply with the above, every attorney setting a hearing shall execute the following certification: I hereby certify that I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing.

19. Prior to appearing before the court, the parties shall discuss the issues raised in the pending hearing, and both parties shall be prepared to certify at the hearing they have made a good faith effort to resolve the issues.

20. Failure to comply with the procedures designated in the above paragraphs may result in the hearing being stricken from the docket or such other sanctions as the court deems appropriate. DONE AND ORDERED in Fort Lauderdale, Broward County, Florida, this 29th day of June, 2001.

/s/DALE ROSS
DALE ROSS, Chief Judge