

**ALL SELF-REPRESENTED PARTIES OR LITIGANTS SHOULD READ
CAREFULLY REGARDING EMERGENCY MOTIONS**

THE 17th JUDICIAL CIRCUIT CANNOT PROVIDE LEGAL ADVICE

If you have been represented by an attorney and that attorney has not withdrawn from the case, you cannot represent yourself until the attorney withdraws. UNTIL THE ATTORNEY WITHDRAWS, YOU CANNOT REPRESENT YOURSELF IN A CASE.

Motions to cancel a foreclosure sale or writs of eviction or possession may be considered an emergency in Division 11. Emergency motions are governed by administrative order which can be found at http://www.17th.flcourts.org/images/stories/17th_pdf_files/2014-32-civ_amended.pdf.

As a self-represented person or litigant, please take note of the following:

If you do not have a prepared motion and blank Notice of Hearing, you may:

1. Purchase and complete a motion packet in the Clerk's Office, on the 2nd Floor, in Room 2140 or download one from the internet. After completion of the forms,
2. Proceed to Room 4130, Window 10 or 11 (4th Floor) to file the motion with the Clerk (a \$50 fee may apply).
3. Once the motion is filed, go to Room WW14160 (on the 14th Floor) for assistance.
4. In Room WW14160, register at the "Sign In" podium (look for Add On Register), have a seat and wait to be helped. The Case Manager may be busy so please be patient, you will be assisted as soon as one is free.
5. Provide the Case Manager with a copy of your filed motion. When possible, the attorney for the bank will be contacted to attend the hearing which may occur by telephone.
6. While you wait you may want to observe other cases in progress in the courtroom to help you see what will occur during your hearing.
7. Emergency cancellations of a foreclosure sale are heard Mondays through Thursdays **ONLY** and emergency cancellations for a writ of possession are heard Mondays through Fridays.

EMERGENCY CANCELLATION OF A FORECLOSURE SALE

1. You cannot file a motion to postpone or cancel a foreclosure sale unless you are 5 working days from the foreclosure sale date (*count the sale date and then count backwards five days, skipping Saturday, Sunday or holidays*).
2. **Only** parties who are named in a suit or whose name appears on the mortgage/title may file a motion to postpone/cancel a foreclosure sale.
3. If your motion seeks to cancel a foreclosure sale due to a possible short sale, loan modification, etc., it is imperative you bring to court any paperwork from the realtor/bank/purchaser.

WRIT OF POSSESSION / EVICTION NOTICE

You must bring with you the motion you have filed but also an entire copy of the writ of possession/eviction notice. This notice identifies the name of the person who issued the writ.

You **must** present a current national photo ID (passport, driver's license, photo ID) at your hearing which evidences you are a party in the case.

Case Managers are not permitted to render legal advice.

For more information email foreclosure@17th.flcourts.org, call 954-831-7770 or visit our website www.17th.flcourts.org, under the Court Administration – Court Programs tab.

The Judges Procedures can be found at www.17th.flcourts.org, under the Judges, Circuit Civil – Foreclosure Program tab.

SCHEDULING A FORECLOSURE HEARING THAT IS NOT AN EMERGENCY

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The 17th Circuit assists non-represented persons to set non-emergency matters for a hearing.

If you have been represented by an attorney and that attorney has not withdrawn from the case, you cannot represent yourself. UNTIL THE ATTORNEY WITHDRAWS, YOU CANNOT REPRESENT YOURSELF IN A CASE.

As a self-represented person please take note of the following:

1. You may purchase and complete a motion packet in the Clerk's Office, on the 2nd Floor, in Room 2140 or download one from the internet.
2. After completion of the forms proceed to Room 4130, Window 10 or 11 (4th Floor) to file the motion with the Clerk (a \$50 fee may apply). Then:
3. You will need to schedule the motion for a hearing in any of the following ways:
 - a. **In the courtroom:**
 - i. Go to Room WW14160 (14th Floor), register at the "Sign In" podium (look for Add-on Register), have a seat and wait to be helped. The Case Manager may be busy so please be patient, you will be assisted as soon as possible.
 - ii. Provide the Case Manager with a copy of your filed motion and three options for preferred dates for the hearing either morning (8:45) or afternoon (1:30) in each case. This must be at least 15 days out (to allow time to mail the Notice of Hearing and Motion) and **must not** be a Thursday or Friday.
 - iii. While you wait you may want to observe other cases in progress in the courtroom to help you see what will occur during your hearing
 - b. **Via e-mail**

E-mail the Foreclosure Unit at foreclosure@17th.flcourts.org with the following information: case number; case style (names of the parties); title of your filed motion; three options for preferred dates for the hearing - this must be at least 15 calendar days out, **must not** be a Thursday or Friday, and you will need to select morning (8:45) or afternoon (1:30) in each case; and, a scanned, readable copy of your current national photo ID (e.g. Driver's License, Passport).
 - c. **Via Online Scheduling System (self-scheduling):**

Apply online to be given a username and a password to access the On-line Scheduling System. Read and follow the instructions carefully (ignoring the requests for Florida Bar ID). The web address is www.17th.flcourts.org; select Online Scheduling System under the Quick Links tab.
4. Once scheduled, you will be provided with a Case Schedule Receipt. Complete the "Notice of Hearing" and **immediately** mail copies of the Notice of Hearing and the Motion to all parties.
5. Additionally, you **must** present a current national photo ID (passport, driver's license) at your hearing which evidences you as a party in the case.

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