

**17th JUDICIAL CIRCUIT COMPLEX BUSINESS DIVISION (07)
CHIEF JUDGE TUTER**

**TEMPORARY PROCEDURES FOR THE CORONAVIRUS (COVID-19)
TILL FURTHER NOTICE OF THE COURT**

MOTION CALENDAR

PLEASE UPLOADS VIA CMS - SUPPORTING DOCUMENTS

*NOTICE OF HEARING WITH
PHONE CONFERENCE NUMBER AND ACCESS CODE*

SPECIAL SET HEARINGS

*WILL BE HELD THROUGH ZOOM VIDEO CONFERENCE
MEETING ID: 319 670 946*

Participate: Chief Judge Tuter

Join Zoom Meeting for Special Set hearings:
<https://17thflcourts.zoom.us/j/319670946>

Meeting ID: 319 670 946

One tap mobile

+13126266799,,319670946# US (Chicago)
+16468769923,,319670946# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US
+1 301 715 8592 US
+1 346 248 7799 US (Houston)
+1 408 638 0968 US (San Jose) Meeting ID: 319 670 946

Find your local number: <https://17thflcourts.zoom.us/j/319670946>

17th JUDICIAL CIRCUIT COMPLEX BUSINESS DIVISION (07) PROCEDURES

All hearings and trials are in Courtroom 15150

The Court's Judicial Assistant is Mercedes;
In Court Clerk is Deedee; Court Deputy is Joe Costa

Judge Tuter serves as Chief Judge of the 17th Judicial Circuit
& also serves as Division Judge in the Complex Business Division

Please go to: www.17th.flcourts.org to utilize the Court's on-Line scheduling of Motion Calendar and submission of Agreed Orders. The Court accepts Agreed Orders on-line and not via US mail. **PLEASE NOTE, EFFECTIVE IMMEDIATELY SUBMITTING AN AGREED ORDER HAS CHANGED. PLEASE REVIEW THIS LINK:**

<http://www.17th.flcourts.org/2018/06/04/new-agreed-orders-training-guide/>

Motion Calendar – All Motion Calendar hearings are scheduled on Wednesday mornings at 8:45 a.m. Hearings are limited to (5) minutes. A courtesy copy of all motions set on Motion Calendar should be e-mailed to the Court at div07@17th.flcourts.org . NO HARD COPY OF THE PLEADINGS NOTICE ARE REQUIRED.

On-line scheduling of special set hearings:

All (30) and (45) minute requests for special set hearings shall be scheduled utilizing the Court's on-line scheduling system. It is imperative all counsel coordinate self-scheduling at a mutually agreeable time. Because Judge Tuter reserves time for Administrative matters as Chief Judge, blocks of time for special set hearings are available on Tuesdays, Wednesdays, and Thursdays. The moving party shall contact the other side to arrange a conference call or propose open dates to set the hearing.

Any party/counsel who does not return a written request to set a special set hearing within (2) business days entitles the moving party to pick a date and set the matter for a hearing.

Once the hearing has been scheduled, a courtesy copy of all pleadings including the Notice of Hearings shall be e-mailed to div07@17th.flcourts.org. The parties should be advised this procedure is established to accommodate attorney's requesting hearing time. Please utilize the same system to cancel any self-scheduled hearing. All hearings/Motions under (50) pages are not required to submit paper copies to the Court. The on-line scheduling system permits users to upload their motion and exhibits at the time the matter is scheduled. Motions and exhibits more than (50) pages shall provide the court with a paper copy.

Special Set Hearings Requesting more than (45) minutes– All requests for Special Set hearings THAT EXCEED (45) minutes in duration shall be e-mailed to div07@17th.flcourts.org.

Counsel for the moving party shall confer with all Counsel and advise the Court how much time is requested for the hearing. The request for hearing time shall take into consideration permitting all Counsel to have adequate time for argument. The moving party shall send a letter setting forth the amount of time requested and accompany the request with a copy of any Pleadings/Motions regarding the hearing. After the matter is reviewed by the Court, the Court's judicial assistant may require the parties to set up a phone conference to schedule the matter.

Phone Appearances – Phone appearances are always permitted without leave of Court or motion. However, the party requesting to appear by phone shall notify the Court via e-mail prior to the hearing at div07@17th.flcourts.org. A direct contact number must be provided to the Court. In the event multiple parties wish to appear by phone, it will be counsel's responsibility to coordinate setting up a conference call and providing the phone number and access code to the Court. The Court will initiate the call from the bench.

Telephone Hearings - The Court, or its' Judicial Assistant may conduct telephonic hearings Monday through Friday on short notice, to alleviate the necessity of counsel appearing in person. The moving party shall be responsible for establishing conference calls with all counsel of record for telephonic hearings.

Emergency Hearings – All requests for Emergency Relief shall comply with the 17th Judicial Circuit's definition of an emergency, be in writing, and submitted to the Court. In the event the Court is not in session such requests should be submitted to Court Administration or the Civil Duty Judge.

Hearings Taken under Advisement – The Court from time to time takes hearings under advisement, orders transcripts of the hearings etc. Should the parties not receive an Order on a case taken under advisement within (30) days of the hearing, they should send an e-mail to div07@17th.flcourts.org advising the Court they have not received an Order on a pending matter.

Agreed Orders - All Agreed Orders shall be submitted/uploaded through the 17th Judicial Circuit – E-Order System. Please note ONLY Agreed Orders are permitted via this website. Please DO NOT submit cover letters, or pleadings as it may result in the Order being rejected. All originals of all pleadings should be e-filed with the Clerk of Court. **PLEASE NOTE, EFFECTIVE IMMEDIATELY SUBMITTING AN AGREED ORDER HAS CHANGED. PLEASE REVIEW THIS LINK:** <http://www.17th.flcourts.org/2018/06/04/new-agreed-orderstraining-guide/>

Transfers to Complex Division - All requests for transfers from other Divisions must meet prerequisites of the Administrative Order governing transfer of cases to the Complex Division. If all counsel are in agreement as to the matter being transferred to a Complex Division, a hearing may not be necessary. Simply submit the motion to the Court, and if the Court finds the matter meets criteria, the case will be reassigned accordingly. Any party objecting to the transfer of a case to a Complex Division may set the matter for a hearing on the Court's Wednesday Motion Calendar docket by the Court's Judicial Assistant. Please e-mail the Court at

div07@17th.flcourts.org with the style of the case, a Notice of Hearing setting forth which date the matter is to be heard and a copy of the Motion to Transfer. The Court will place the matter on the transfer docket and confirm with all counsel.

[Establishing Procedures for Direct Filing or Reassignment of Circuit Civil Cases to a Complex Business or Complex Tort Division](#)

Cases Transferred to Complex Division (07) – All newly transferred cases to Division (07) from other Civil Divisions should set a status conference within (30) days of the transfer Order. Status conferences should be set on the Court’s Wednesday Motion Calendar.

Civil Forfeitures – Actions pursuant to Florida Statute 932.701. In accord with changes enacted by the Florida Legislature regarding Florida Statute 932.701, the 17th Judicial Circuit Civil Division has implemented the following procedures for any Law Enforcement Agency making application for Ex-parte Probable Cause Orders within ten (10) business days after the date of the seizure, and prior to the filing of the verified forfeiture complaint:

1. Any application for an ex-parte probable cause determination and any affidavits or attachments thereto shall be sent electronically to forfeiture@17th.flcourts.org no later than 10 business days following the date of seizure. 2. The e-mail shall be from the e-mail address registered for criminal warrants. If the e-mail is sent from a non-registered e-mail address it will not be opened or any action taken on the application and sworn affidavit. 3. After review, an Order will be returned electronically to the e-mail address from the Agency making application. 4. If the initial application is denied for Lack Of Probable Cause, and any subsequent application is made within the (10) business day period, the new application shall be an “Amended Application” and indicate in the body of the text the dates of all previous submissions and the name of the Judge to whom the original submission was made. 5. The attached proposed Order regarding the petition is attached and shall be provided with the application for an ex-parte Probable Cause determination.

Case Management - All cases in Division (07) require a Case Management Order setting out discovery schedules and witness disclosure dates. Counsel of record may agree to a Case Management Order regarding discovery dates and submit same through the 17th Judicial Circuit – E-Order system. If the parties cannot agree to disclosure dates either party may set the matter on Motion Calendar for resolution by the Court.

Ready for Trial Docket - In an effort to offer litigants with pending jury trials greater access to the Courts, litigants with pending cases in the Circuit Civil Division may place cases on the 17th Judicial Circuit’s ready for trial docket. The ready for Trial Docket will afford litigants and their counsel the opportunity to place any Circuit Civil case to be tried by a jury on a Trial Docket. The case may or may not be under a current trial order but, the parties through their counsel shall stipulate the case meets all criteria to be placed on the Ready for Trial Docket.

[Read For Trial Announcement](#)
[Ready for Trial Docket Stipulation](#)

Trial Orders – The parties are to schedule a Status Conference on Motion Calendar for the Court to place a case on a Trial Docket. Alternatively, the parties can agree to be placed on a trial period by filing a stipulation or emailing the court requesting a particular trial period. The email should be sent to div07@17th.flcourts.org. The Court requires substantial compliance with the Case Management Order or substantial completion of discovery before a case will receive a trial date. Cases are set for trial on quarterly dockets.

Court's Quarterly Trial Docket - Although cases may be set for trial on the Court's Quarterly Trial Docket, cases will not be given a trial date until substantial compliance with the Case Management Order or completion of substantial discovery has been completed. Transfers from other Divisions, ready for trial under a current Trial Order, do not require a Case Management Order if the case is ready for trial. Generally the Court does not require court appearances for a calendar call, the judicial assistant will contact the parties on the eve of

Trial Exhibits – In cases where exhibits will exceed (50) pages, the Court requires counsel for both sides to meet and confer prior to trial and go over non-disputed exhibits. All non-disputed exhibits shall be provided to the Court with cover pages identifying each exhibit. All nondisputed exhibits shall be provided to the clerk of court on the first day of trial on a flash drive with each exhibit marked with a designated **number** for identifying purposes. Any disputed exhibits shall be addressed by the Court pre-trial or at trial as the Court may order.

New Courthouse Technology - The west Courthouse has new technology for presentation of video and other imaging. To view how to use the equipment please follow either link:
<https://youtu.be/V8aqOA0fZ5g> or
<http://www.17th.flcourts.org/index.php/selfhelp/courtutorials/evidence-presentation-system>

PLEASE do not call to inquire whether the Judge has signed a particular order or received a hand delivery. All approved electronic agreed orders are transmitted instantaneously via e-mail when approved by the Court. We appreciate your cooperation.

Updated August 24, 2018

JUDGE TUTER

COMPLEX CIVIL DIVISION 07

**2019-2020 TRIAL DOCKET SCHEDULE
CALENDAR CALL @ 8:45 A.M.**

COURTROOM 15150

2019

<u>QTS</u>	<u>CALENDAR CALL</u>	<u>TRIAL WK DOCKET</u>
2ND	MARCH 13, 2019	APRIL 8 – JUNE 21
3RD	MAY 29, 2019	JUNE 24 – SEPTEMBER 6
4TH	AUGUST 14, 2019	SEPTEMBER 9 – NOVEMBER 22

2020

<u>QTS</u>	<u>CALENDAR CALL</u>	<u>TRIAL WK DOCKET</u>
1ST	NOVEMBER 13, 2019	JANUARY 21 – APRIL 3,
2ND	MARCH 11, 2020	APRIL 6 – JUNE 19
3RD	MAY 27, 2020	JUNE 22 – SEPTEMBER 4
4TH	AUGUST 12, 2020	SEPTEMBER 8 – NOVEMBER 20