

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

*Administrative Order 2020-50-PRC*

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

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(a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) 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.”

(c) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) This Administrative Order is to be read in conjunction with the [Seventeenth Judicial Circuit of Florida Local Procedures – Probate Division](#) and the specific division procedures for Divisions 60J, 61J, and 62J, all of which may be updated from time to time without notice.

**(2) Motion Calendar.**

(a) Probate divisions conduct motion calendar hearings on Mondays and Wednesdays.

(b) All motion calendar hearings are to be scheduled using the Seventeenth Judicial Circuit online scheduling and court management system (CMS).

(c) Only non-evidentiary petitions or motions, which can be heard and resolved in a total of ten (10) minutes equally allocated to all parties, shall be set on motion calendar. 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.

- (d) A petition or motion shall not be set for hearing on motion calendar unless the attorney or interested person noticing the hearing has complied with all applicable local rules by, *inter alia*, first attempting in good faith to resolve the motion, and coordinating the hearing in advance with all interested parties.
- (e) No more than two (2) petitions or motions for a case may be noticed for hearing on the same date.
- (f) A courtesy copy of the notice of hearing, petition or motion and any supporting document(s) shall be delivered to the judge and all parties at least five (5) business days prior to hearing. All original notices, pleadings, and papers shall be filed with the Clerk of Court.
- (g) At the hearing, the noticing party shall furnish the judge with a proposed order and sufficient copies for all parties.
- (h) Should any scheduled motion calendar hearing become unnecessary, the scheduling party shall immediately cancel the hearing by using the online scheduling and court management system (CMS) and file a notice of cancellation. The canceling party is responsible for advising all interested parties that the hearing has been canceled.

### **(3) Ex Parte Docket.**

- (a) Probate divisions conduct ex parte dockets on Tuesdays and Thursdays.
- (b) All ex parte requests are to be made using the Seventeenth Judicial Circuit online scheduling and court management system (CMS). Parties shall use the attached Uniform Ex Parte Request Form when scheduling a hearing (the Uniform Ex Parte Request Form may be amended or updated from time to time without notice).
- (c) Only non-evidentiary petitions or motions, which can be heard and resolved in a total of five (5) minutes, shall be set on the ex parte docket. If a petition or motion requires the taking of evidence or more than five (5) minutes then it shall not be set on the ex parte docket.

(d) The following shall not be heard during an ex parte docket:

1. Attorney's Fees and Costs
2. Guardian's Fees and Costs
3. Approval of Minor Settlement
4. Appointments of Guardian(s)<sup>1</sup>

(e) Should any scheduled ex parte matter become unnecessary, the scheduling party shall immediately cancel the hearing by using the online scheduling and court management system (CMS) and file a notice of cancellation. The canceling party is responsible for advising interested parties that the hearing is canceled.

(4) This Administrative Order supersedes and vacates Administrative Order 2009-88-PRC.

**DONE AND ORDERED** in Chambers, Fort Lauderdale, Florida, this 9th day of June, 2020.

/s/ Jack Tuter

Jack Tuter, Chief Judge

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<sup>1</sup> A Petition for Appointment of Guardian shall not be set for hearing **unless** the proposed guardian's credit and criminal investigation is complete and approved.

Attachment "A"

**UNIFORM EX PARTE CALENDAR REQUEST FORM**

FILE NO.: \_\_\_\_\_

IN RE: \_\_\_\_\_

EPORTAL REFERENCE NO. OF THE EX PARTE CALENDAR REQUEST<sup>1</sup>: \_\_\_\_\_

ATTORNEY'S NAME (PRINT): \_\_\_\_\_

I hereby request to attend the uncontested/ex parte calendar to be held at the Broward County Courthouse (in Courtroom), Fort Lauderdale, Broward County, Florida on **Tuesday** /**Thursday** , the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before Judge (Check appropriate Judge) at the corresponding time:

\_\_\_\_\_ **Division 60J** - Judge Mily Rodriquez Powell (**Courtroom 15155**) \*Beginning at **9:15 A.M.**

\_\_\_\_\_ **Division 61J** - Judge Charles M. Greene (**Courtroom 12168**) \*Beginning at **9:15 A.M.**

\_\_\_\_\_ **Division 62J** - Judge Kenneth L. Gillespie (**Courtroom 14160**) \*Beginning at **8:45 A.M.**

on the following matter(s)<sup>2</sup>:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**[PLEASE NOTE: THE COURT WILL NOT HEAR THE FOLLOWING MATTERS DURING THE UNCONTESTED/EX PARTE CALENDAR SCHEDULE: (1) Attorney's Fees & Costs; (2) Guardian's Fees & Costs; (3) Discharge of Personal Representatives and Guardians; (4) Approval of Minor Settlements; and (5) Appointment of Guardian(s) unless the proposed Guardian(s)'s credit check and criminal background investigation is complete and approved prior to hearing.]**

I hereby certify that: the above-referenced matter(s) is/are uncontested, all interested parties have been served notice of the document(s) to be addressed during the ex parte calendar, and I have not received notification that any party objects to the bringing of the matter(s) before this Court.

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Florida Bar No.

\_\_\_\_\_  
Attorney's e-mail

\_\_\_\_\_  
Attorney's Phone No.

**Specific Instructions:**

- The Uniform Ex Parte Calendar Request Form and the relevant document(s) for the requested ex parte hearing shall be e-filed at: [www.myflcourtagency.com](http://www.myflcourtagency.com). Each relevant document and any attachments thereto must be filed as a separate PDF.
- Immediately after e-filing the Uniform Ex Parte Calendar Request Form and the accompanying document(s), an e-mail shall be sent to the Broward County Clerk of Court, Probate Division at [exparterequests@browardclerk.org](mailto:exparterequests@browardclerk.org), with the subject matter "Ex Parte Request." The e-mail shall include: the case number, the reference number of the Uniform Ex Parte Request Form, and the reference number of any relevant documents that have not yet been accepted through the ePortal.
- A Uniform Ex Parte Calendar Request Form must be e-filed even for those documents that were filed in paper format, prior to April 1, 2013.
- A separate Uniform Ex Parte Request Form must be e-filed for each individual case number.
- The Uniform Ex Parte Calendar Request Form for a Tuesday hearing shall be e-filed by 11:00 a.m. of the prior Thursday.
- The Uniform Ex Parte Calendar Request Form for a Thursday hearing shall be e-filed by 11:00 a.m. of the prior Monday.

**\* All Judges require that the following documents be provided to them at the ex parte hearing: a copy of the e-filed Uniform Ex Parte Calendar Request Form, a copy of the document(s) for which the hearing is sought, and a proposed order. Please be advised that the time allotted for each ex parte hearing is five minutes.**

<sup>1</sup> Please add the ePortal reference number after e-filing, for reference at the hearing.

<sup>2</sup> Please specify the date when the document(s) was/were e-filed or paper filed, and include the ePortal reference number for the documents that were e-filed.