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

CASE NO. _____ DIVISION 13 Judge _____

IN RE: THE COMMITMENT OF:

Respondent.
_____/

SEVENTEENTH JUDICIAL CIRCUIT UNIFORM TRIAL ORDER PETITIONS FOR INVOLUNTARY CIVIL COMMITMENT OF SEXUALLY VIOLENT PREDATORS

TRIAL DATE: _____

_____JURY _____NON-JURY

The court has determined this case is ready for trial pursuant to Fla. R. Civ. P. –S.V.P. 4.240. The case is set for trial before the undersigned Judge in Courtroom _____, Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, Florida as stated above.

The following requirements are imposed on all parties by the Court:

I. **NO LATER THAN FIFTEEN (15) DAYS PRIOR TO TRIAL - EXPERT WITNESSES DISCLOSURE** (Filed with the Clerk and served on all counsel) The parties shall furnish opposing counsel with the names and addresses, along with complete and updated curriculum vitae of all expert witnesses to be called at trial; and all information regarding expert testimony that is required by Fla. R. Civ. P. 1.280 (b)(4)(A); and shall furnish opposing counsel with two (2) alternative dates of availability of all expert witnesses for the purpose of taking their deposition. Both sides shall cooperate in the scheduling of such expert depositions. By agreement counsel for Respondent may waive deposition discovery of any expert.

II. **NO LATER THAN FIFTEEN (15) DAYS PRIOR TO TRIAL - MEDICAL EVALUATIONS**: All medical evaluations and other examinations pursuant to Fla. R. Civ. P. 1.360 shall have been completed, unless counsel for the State and Respondent mutually agree to extend the time.

III. **NO LATER THAN FIFTEEN (15) DAYS PRIOR TO TRIAL:** All final discovery shall have been initiated. By agreement the State and counsel for Respondent may alter this time frame if justice so requires.

IV. **FIVE (5) DAYS PRIOR TO TRIAL:** All pretrial discovery, including discovery depositions or testimony preserved by video of witnesses or experts to be used at trial, shall have been completed. Any motions in limine, shall be filed and served upon opposing counsel.

V. **THE JOINT PRETRIAL STIPULATION MUST CONTAIN IN SEPARATELY NUMBERED PARAGRAPHS: [A joint pretrial stipulation contemplates a single document. It requires that all agreed matters be fully identified, and any disputed matters be specifically delineated with respect to each party]:**

1. **Statement of the Facts**: A concise, impartial statement of the facts of the case.
2. **Stipulated Facts**: A list of those facts that can be stipulated and require no proof at the trial.
3. **Statements of Disputed Law & Fact**: Those issues of law and fact that are to be tried.
4. **Exhibit Lists**: Each party shall separately list all exhibits they intend to introduce into evidence. Each item shall be listed by number and description on a separate schedule attached to the stipulation. Each exhibit shall be specifically described. *Generic descriptions of exhibits are subject to being stricken.* Counsel shall initial each other's exhibit list and exhibits. All exhibits to be offered in evidence at trial shall have been made available to opposing counsel for examination and initialing. Only those exhibits listed and initialed may be offered in evidence. If any party objects to the introduction of any such exhibit, such objection must be stated in the stipulation, setting forth the grounds with specificity. Demonstrative exhibits (e.g. charts, enlargements of exhibits) to be used at a jury trial must be displayed to all counsel before being shown to the jury.
5. **Witness Lists**: Parties shall attach and furnish counsel with a written list in alphabetical order containing the names and addresses of all witnesses ("rebuttal", "impeachment" or otherwise) intended to be called at trial. Only those witnesses listed shall be permitted to testify. At trial, all parties shall be strictly limited to witnesses properly and timely disclosed unless otherwise agreed to by the parties.
6. **Jury Instructions**: If the trial is a jury trial counsel shall identify all agreed upon standard instructions and all special instructions. Any disputed jury instructions shall be attached and identified as to the party that proposed the instruction. Copies of all agreed upon instructions or disputed instructions shall be attached to the stipulation, along with copies of supporting statutory citations and/or case law.
7. **Verdict Forms**: The State shall prepare a verdict form consistent with rules of procedure in involuntary civil commitment proceedings.
8. **Peremptory Challenges**: Three challenges per side shall be allowed unless good cause shown or otherwise stipulated by the parties.

9. **Pending Motions**: Set forth a list of all pending motions with copies attached to the pretrial stipulation. To the extent the court has time prior to commencement of the trial; all pending motions will be heard or set for hearing at the above-noticed pre-trial conference. All parties shall be fully prepared to present legal argument for all pending motions at the pretrial conference.
10. **Trial Estimate**: Each party shall provide an estimate of the number of days of trial for its side.

VII. **NO LATER THAN FIVE (5) DAYS** prior to the trial period set forth above the following shall be completed or heard by the Court:

1. Depositions to preserve testimony of any witness, including experts, shall have been completed;
2. **MOTIONS IN LIMINE**: All motions to exclude witnesses or evidence of other motions directed to the conduct of the trial for which grounds then exist must be in writing and may be heard prior to commencement of the trial.

THE PARTIES ARE CAUTIONED REGARDING THE FOLLOWING POLICIES OF THE COURT:

1. The parties shall do all things reasonable and necessary to assure the availability of their witnesses for the entire trial period or to otherwise preserve their testimony for trial as provided by the Florida Rules of Civil Procedure and Florida Rules of Civil Procedure for Involuntary Committeemen of Sexually Violent Predators.

2. FAILURE TO ATTEND, FAILURE TO FOLLOW TIME REQUIREMENTS OR FILE DOCUMENTS REQUIRED BY THIS COURT MAY RESULT IN THE DISMISSAL OF THE ACTION OR THE IMPOSITION OF SANCTIONS INCLUDING STRIKING OF THE PLEADINGS.

3. The State Attorney's Office shall be responsible to prepare appropriate orders to transfer the Respondent to Broward County for trial and shall also be responsible to obtain a court reporter for all proceedings.

4. Because of the unique issues involved in actions under Part V, Chapter 394 of the Florida Statutes, the State Attorney and counsel for Respondent may agree to extend or modify timelines in this order in the interest of justice and consistent with Chapter 394 and the Florida Rules of Civil Procedure governing Petitions for Involuntary Commitment.

ORDERED and **ADJUDGED** at Fort Lauderdale, Florida on _____, 20_____.

_____

CIRCUIT JUDGE

Copies furnished to counsel of record

IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE COURT ADMINISTRATOR'S ADA COORDINATOR @954-831-7721 AT LEAST SEVEN DAYS BEFORE YOUR SCHEDULED COURT APPEARANCE, OR IMMEDIATELY UPON RECEIVING THIS NOTIFICATION IF THE TIME BEFORE THE SCHEDULED APPEARANCE IS LESS THAT SEVEN DAYS; IF YOU ARE HEARING IMPAIRED OR VOICE IMPAIRED CALL 954-831-7017, OR CALL THE FLORIDA RELAY SERVICE @1-800-995-8771 (TTY), OR 1-800-995-8770 (VOICE).