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

Administrative Order 2021-19-Civ (Amended) [1]

ESTABLISHMENT & IMPLEMENTATION OF CIVIL CASE MANAGEMENT PLAN

(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 General Practice and 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) Pursuant to Florida Rule of General Practice and Judicial Administration 2.545(a), (b) and (e), judges are required to conclude litigation as soon as it is reasonably and justly possible, to take charge of cases at an early stage, and to control the progress of cases. It is recognized, however, there are cases that, because of their complexity, present problems that cause reasonable delays. Notwithstanding, most cases should be completed within the time periods set forth in Florida Rule of General Practice and Judicial Administration 2.250.

(d) Florida Supreme Court Administrative Order AOSC20-23, Amendment 12, (April 13, 2021), creates case management requirements for civil cases, including the use of Case Management Orders requiring specific deadlines according to whether a case is categorized as complex, streamlined or general.

(e) 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, Florida Rule of General Practice and Judicial Administration 2.215, and pursuant to Florida Supreme Court Administrative Order AOSC20-23, Amendment 12 (April 13, 2021), it is hereby **ORDERED**:

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[1] Amended as to "Exhibit B"

(1) All Seventeenth Judicial Circuit and Broward County Judges are to strictly comply with the requirements of Florida Rule of General Practice and Judicial Administration 2.545(a), (b), and (e), which respectively require judges to conclude litigation as soon as it is reasonably and justly possible to do so, to take charge of all cases at an early stage and to actively control the progress of the cases thereafter until they are determined, and to apply a firm continuance policy allowing continuances only for good cause shown.

(2) All attorneys practicing in the Seventeenth Judicial Circuit shall strictly comply with Florida Rule of General Practice and Judicial Administration 2.545(a), which requires attorneys to conclude litigation as soon as it is reasonably and justly possible to do so. Pursuant to AOSC20-23, Amendment 12 (April 13, 2021), the pandemic alone is not a basis for an attorney's failure to prepare a case for trial or otherwise actively manage a case.

(3) Consistent with the dictates above, there is established in the Seventeenth Judicial Circuit a Civil Case Management Plan as set forth herein, applicable to all civil cases,[2] which will be administered for the implementation of enhanced case management procedures and guidelines for the timely and efficient processing of civil cases.

(4) The Civil Case Management Plan is to be used as a model for the purpose of establishing time standards, improving the court's ability to provide early and continuous management of civil cases as required by Florida Rule of General Practice and Judicial Administration 2.545, and to promote uniformity of practice throughout the Seventeenth Judicial Circuit.

(5) The procedures and time standards set forth herein are intended to facilitate the timely, fair and effective resolution of civil cases consistent with the time frames set forth in Florida Rule of General Practice and Judicial Administration 2.250 while ensuring the efficient use of court resources. The procedures and time standards do not supplant any existing rule, statute, or law.

(6) **Case Track Definition and Criteria.** Upon the filing of a new civil case, the Clerk of Court shall designate each case as complex, streamlined, or general based

[2] For purposes of this Administrative Order the term "civil case" means actions to which the Florida Rules of Civil Procedure apply, as identified in Florida Rule of Civil Procedure 1.010, and actions in which the court has ordered that the action proceed under one or more of the Florida Rules of Civil Procedure pursuant to Florida Small Claims Rule 7.020(c) if the deadline for the trial date specified in Florida Small Claims Rule 7.090(d) no longer applies in the action, but does not include actions subject to section 51.011, Florida Statutes, post-judgment proceedings, and writs to which Florida Rule of Civil Procedure 1.630 applies.

upon information listed on the Civil Cover Sheet and according to the case classifications attached hereto.[3] After the initial designation as complex, streamlined, or general, judges may transfer cases from one category to another at his or her discretion; however, any case initially designated as streamlined or general must comply with Administrative Order 2017-35-Civ, as such may be amended from time to time, before being designated complex and assigned to a complex litigation division. Nothing herein prohibits a judge presiding over a general civil division from declaring an action complex and directing that the action remain in his or her general civil division for disposition.

a. Complex Case Track. The complex case track involves those actions with extraordinary complexity as to require or benefit from early intervention and individual judicial management, and are those cases that have been or may be designated by court order as complex under Florida Rule of Civil Procedure 1.201, or which may be direct filed to a complex litigation division or declared complex and assigned to a complex litigation division pursuant to Seventeenth Judicial Circuit Administrative Order 2017-35-Civ. Due to the nature of cases filed in County Court, cases qualifying for this designation in County Court should be extremely rare and must be approved for such designation in writing by the Chief Judge or the Administrative Judge of County Court.

b. Streamlined Cases. Streamlined cases are those cases normally requiring little judicial intervention and which have relatively simple procedural and legal issues that can be resolved promptly by early referral to mediation, Alternative Dispute Resolution or expedited hearing. Notwithstanding the case classifications attached hereto, to determine whether a case is streamlined, the presiding judge shall consider whether the case involves:
    i. Few parties;
    ii. Non-complex issues related to liability and damages;
    iii. Few anticipated pretrial motions;
    iv. Limited need for discovery;
    v. Few witnesses;
    vi. Minimal documentary evidence;
    vii. An anticipated trial length of less than two days; and

[3] Examples of general, streamlined, and complex case classifications for Circuit Court and County Court are attached as "Exhibit C" and "Exhibit F," respectively.

viii. Any other factor relevant to proper case management.

c. General Cases. These cases represent the large majority of standard civil cases that normally will not require a high level of judicial case management to reach timely resolution unless unusual pretrial delay arises.

(7) **Time Standards & Goals**. The time standards set forth herein are directives established by Florida Supreme Court Administrative Order AOSC20-23, Amendment 12 (April 13, 2021) and Florida Rule of General Practice and Judicial Administration 2.250, and are intended to be presumptively reasonable time periods for disposition of civil cases in trial courts. However, upon a showing of extraordinary circumstances, certain unique cases may have cause for reasonable delay beyond these periods. Most cases should, however, be completed within the following time periods and the presiding judge shall take appropriate action to manage new and existing cases to bring such matters to disposition within such times:

a. Complex cases: disposed within 24 months
b. General cases: disposed within 18 months
c. Streamlined cases: disposed within 12 months

(8) **Assignment to Case Tracks – General and Streamlined Cases**

a. A case classification is determined upon filing the initial complaint in accordance with the classifications set forth in Exhibits "C" and "F."

b. Disagreement as to case classification. If the parties do not agree to the classification of the case as general or streamlined, the presiding judge shall determine the appropriate designation upon motion. The moving party shall bear the burden of demonstrating the propriety of the case classification, unless all parties agree to a designation.

(9) **Assignment to Case Track – Complex**

a. Circuit Court

i. For assignment of a case to a complex litigation division (business or tort) the parties shall comply with Administrative Order 2017-35-Civ, "Amended Administrative Order Establishing Procedures for Direct Filing or Reassignment of

Circuit Civil Cases to a Complex Business or Complex Tort Division," as such may be amended from time to time. This does not preclude a civil case from being designated complex by the presiding judge of a general civil division and such case remaining in a general civil division.

b. County Court

i. Motion by Parties. Any party to a County Court civil action may file a written motion with a courtesy copy provided to the assigned division judge requesting the case be designated as complex. Upon receipt, the motion should be referred to the Chief Judge or Administrative Judge for the County Court for ultimate determination.

ii. On Court's Order. If the division judge, after receipt of all the pleadings believes there is a colorable basis for designating the matter complex, the case shall be referred to the Chief Judge or Administrative Judge for the County Court for ultimate determination.

iii. In those extremely rare cases in which the Court issues an order designating a county court civil case as complex, the parties shall be required to comply with the procedures for complex cases as set forth in Administrative Order 2017-35-Civ, as such may be amended from time to time, and Florida Rule of Civil Procedure 1.201.

(10) **Case Management Procedures – General and Streamlined Cases**

a. The presiding judge shall issue the appropriate form Uniform Case Management Order Setting Pretrial Deadlines and Related Requirements once all defendants and respondents have been served.[4] Presiding judges may not modify the form orders attached hereto, but may extend deadlines upon motion and order for good cause shown.
b. The presiding judge must assign a projected trial date which must be consistent with the time periods set forth in Florida Rule of General

[4] The Uniform Case Management Order for Circuit Civil is attached hereto as Exhibit "A." The uniform orders for County Civil general and streamlined cases are attached hereto as Exhibits "D" and "E," respectively.

Practice and Judicial Administration 2.250(a)(1)(B) and which must be set forth in the appropriate Uniform Case Management Order. Dates for any pretrial conferences or calendar calls are optional.

(11) **Application**

a. For cases filed on or after April 30, 2021, the presiding judge shall issue the appropriate Uniform Case Management Order within thirty (30) days of service of the complaint on the last defendant or respondent.

b. For cases filed before April 30, 2021, the presiding judge shall issue the appropriate Uniform Case Management Order within thirty (30) days of service of the complaint on the last defendant or respondent, or by December 3, 2021, whichever is later; provided, however, if the court has already issued a pretrial order under Administrative Order 2019-4-CO (for county cases) or 2019-5-Civ (for circuit civil cases), the court shall not be required to issue the Uniform Case Management Order required herein.

This Administrative Order vacates and supersedes Administrative Order 2020-93-Gen and all prior inconsistent Administrative Orders.

DONE AND ORDERED in Chambers, Fort Lauderdale, Broward County, Florida on May 6, 2021.

/s/Jack Tuter
Jack Tuter, Chief Judge

"Exhibit A (Circuit Civil)"

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

CASE NO.: CACE _____(_)

JUDGE: _____

_____

Plaintiffs,

v.

_____

Defendants.

UNIFORM CASE MANAGEMENT ORDER

ALL PARTIES MUST READ CAREFULLY

STRICT COMPLIANCE WITH ALL DEADLINES IS MANDATORY PURSUANT TO FLORIDA SUPREME COURT ADMINISTRATIVE ORDER AOSC20-23, AMENDMENT 12 (APRIL 13, 2021) AND FLORIDA RULE OF GENERAL PRACTICE AND JUDICAL ADMINISTRATION 2.545(e)

In accordance with Florida Rule Civil Procedure 1.200, and Supreme Court AOSC20-23, Amendment 12, the Court hereby orders a MANDATORY Case Management Conference to be held in Courtroom _____ on _____.

All counsel and any self-represented parties MUST appear at the hearing and have their calendars to schedule future matters. FAILURE TO APPEAR AS DIRECTED MAY RESULT IN THE DISMISSAL OF THE ACTION OR OTHER SANCTIONS.

This hearing may be canceled: (1) If the parties set the matter for trial prior to the case management conference date; (2) If the action is settled and a Final Order of Dismissal is issued; or (3) The action is dismissed.

1. If your case is designated:
   Streamlined: Projected date of Trial within 12 months of case filing.
   General Civil: Projected date of Trial within 18 months of case filing.
   Complex: Projected date of Trial within 24 months of case filing.

2. COMPLAINT: The Complaint shall be served within 120 days of filing. Failure to perfect service within 120 days shall subject the action to dismissal without prejudice or dropping of that party as a defendant. If plaintiff shows good cause or excusable neglect for failure to serve within 120 days, the court shall extend the time for service for an appropriate period. (Rule 1.070, Fla.R.Civ.P.). The plaintiff(s) shall immediately notify the Court if all defendants have been served as of the date of this Order by filing an appropriate notice. If all defendants have not been served by the date of this Order, the plaintiff(s) shall notify the Court by filing an appropriate notice and shall further notify the Court by filing a notice upon service of the complaint on the last defendant.
3. RELATED CASES: Prior to the Case Management Hearing, the parties shall identify all related cases by filing a Notice of Related Cases.
4. TRIAL: The Uniform Trial Order will be issued when the case is at issue pursuant to Florida Rules of Civil Procedure, 1.440.
5. DISCOVERY DEADLINES: Deadlines for Witness Lists, Compulsory Medical Examinations, Discovery, Motions, Exhibit Lists, Daubert Challenges, Jury Instructions, and Mediation are specifically detailed in the Uniform Trial Order.

THE UNIFORM TRIAL DATE IS A FIRM TRIAL DATE AND DEADLINES WILL BE STRICTLY ENFORCED BY THE COURT. STRICT COMPLIANCE MEANS NO CONTINUANCES OR EXTENSIONS WILL BE GRANTED WITHOUT COURT ORDER UPON WRITTEN MOTION SETTING FORTH GOOD CAUSE, PURSUANT TO AOSC20-23, AMENDMENT 12 (APRIL 13, 2021), and FLA. R. JUD. ADMIN. 2.545(e).

"Exhibit B (Circuit Civil)"

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

CASE NO.: _____ DIVISION: _____ JUDGE: _____

,

UNIFORM TRIAL ORDER
Seventeenth Judicial Circuit

ORDER FOR MANDATORY CALENDAR CALL

Plaintiff(s) / Petitioner(s),

v.

,
Defendant(s) / Respondent (s).

_____/

UNIFORM TRIAL ORDER

THE UNIFORM TRIAL DATE LISTED HEREIN IS A FIRM TRIAL DATE AND DEADLINES WILL BE STRICTLY ENFORCED BY THE COURT. STRICT COMPLIANCE MEANS NO CONTINUANCES OR EXTENSIONS WILL BE GRANTED WITHOUT COURT ORDER UPON WRITTEN MOTION SETTING FORTH GOOD CAUSE, PURSUANT TO AOSC20-23, AMENDMENT 12 (APRIL 13, 2021), AND FLA. R. JUD. ADMIN. 2.545(e).

FAILURE TO ATTEND CALENDAR CALL MAY RESULT IN EITHER THIS CASE BEING DISMISSED OR A DEFAULT BEING ENTERED.

TRIAL PERIOD COMMENCING: _____. This is a (_____) week calendar.

CALENDAR CALL: _____.

_____ DAYS _____ WEEKS _____ JURY _____ NON-JURY

I. ORDER OF TRIALS:

The order of trials set during this Trial Period will be determined at Calendar Call. Parties are subject to being called to commence trial during any portion of the above noted Trial Period.

II. TRIAL DATE:

The Court has determined this case is ready for trial pursuant to Florida Rule of Civil Procedure 1.440. This case is set for trial before the undersigned Judge in Courtroom _____, Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, Florida, 33301, as stated above. The trial date is a firm trial date pursuant to AOSC20-23, Amendment 12 (April 13, 2021).

III. CIVIL TRIAL POOL:

Parties are advised that this case may be placed into the Seventeenth Judicial Circuit Court's "Civil Trial Pool" and is subject to being called for trial before any judge. If placed in the Civil Trial Pool, **parties must be prepared to proceed to trial if called**. Only the Division Judge or the Administrative Judge of the Seventeenth Judicial Circuit Court's Civil Division may grant a continuance of any case placed in the Civil Trial Pool.

IV. WITNESS LISTS:

A. NO LATER THAN ONE HUNDRED & TWENTY (120) DAYS PRIOR TO CALENDAR CALL:

Fact Witnesses: Parties must file and serve a list of names and addresses of all fact witnesses who are expected to testify at trial. Each party's fact witness list must include a brief description of the substance and scope of the testimony to be elicited from such witness. Both sides must cooperate in the scheduling of such witness depositions.

B. NO LATER THAN NINETY (90) DAYS PRIOR TO CALENDAR CALL:

Expert Witnesses: Parties must file and serve a list of the names and addresses of all expert witnesses who are expected to testify at trial. Each party's expert witness list must disclose the expert's area of expertise, the subject matter on which the expert is expected to testify, the substance of the facts and opinions to which the expert is expected to testify, and a summary of the grounds for each opinion. Parties must include a complete and updated curriculum vitae of all expert witnesses to be called at trial and all information regarding expert testimony that is required by Florida Rule of Civil Procedure 1.280(b)(4)(A). Both sides must cooperate in the scheduling of such witness depositions. The Court may preclude an expert from testifying outside of the disclosed opinions.

C. NO LATER THAN SIXTY (60) DAYS PRIOR TO CALENDAR CALL:

Rebuttal Witnesses: Parties must file and serve a list of names and addresses of any rebuttal witnesses within sixty (60) days.

V. COMPULSORY MEDICAL EVALUATIONS ("CME"):

A. NO LATER THAN NINETY (90) DAYS PRIOR TO CALENDAR CALL:

All CME and other examinations pursuant to Florida Rule of Civil Procedure 1.360 must be completed no later than ninety (90) days prior to Calendar Call.

VI. DISCOVERY DEADLINES:

A. NO LATER THAN SIXTY-FIVE (65) DAYS PRIOR TO CALENDAR CALL:

All final discovery must have been initiated at least sixty-five (65) days prior to Calendar Call.

B. NO LATER THAN THIRTY (30) DAYS PRIOR TO CALENDAR CALL: Parties must complete all discovery, including expert discovery in accordance with Florida Rule of Civil Procedure 1.280(b)(4), at least thirty (30) days prior to Calendar Call. Discovery conducted after this time period is strongly disfavored and will only be permitted by order of the Court under exceptional circumstances.

C. ELECTRONICALLY STORED INFORMATION (ESI) DISCOVERY: ESI discovery procedures can be found in 2021-20-Gen, but are at all times governed by 2021-19-Civ.

VII. MOTIONS:

A. NO LATER THAN SEVENTY-FIVE (75) DAYS PRIOR TO CALENDAR CALL:

1. Motions to add a party or parties or to amend pleadings shall be filed and set for hearing no later than seventy-five (75) days before Calendar Call absent good cause shown. The deadline shall not conflict with Florida Rule of Civil Procedure 1.190(e), and the motion may be denied if there has been undue delay, bad faith, prejudice to the opposing side, dilatory motive on the part of the moving party or when the amendment would be futile.

B. NO LATER THAN FORTY-FIVE (45) DAYS PRIOR TO CALENDAR CALL:

1. Dispositive Motions: must be filed and heard no later than forty-five (45) days before Calendar Call and must be scheduled for hearing prior to Calendar Call.
2. Deposition Objections: objections raised in depositions expected to be introduced at trial must be filed and heard no later than forty-five (45) days before Calendar Call and must be scheduled for hearing prior to Calendar Call.
3. Expert Challenges: motions challenging an expert witness ("Expert Challenges"), must be filed and heard no later than forty-five (45) days before Calendar Call and must be scheduled for hearing prior to Calendar Call.

C. NO LATER THAN THIRTY (30) DAYS PRIOR TO CALENDAR CALL:

1. Motions in Limine: must be filed and heard no later than thirty (30) days prior to Calendar Call and must be scheduled for hearing before Calendar Call.
2. All motions, other than motions in limine, not heard before Calendar Call will be deemed abandoned.

D. PRIOR TO CALENDAR CALL:

1. Motions for Summary Judgment: must be scheduled for hearing and heard prior to Calendar Call. Motions for summary judgment will not be heard at Calendar Call.

VIII. JOINT PRETRIAL STIPULATION:

A. NO LATER THAN TEN (10) DAYS PRIOR TO CALENDAR CALL:

1. The Joint Pretrial Stipulation contemplates a single document that must be filed and served, **with a courtesy copy served on the undersigned judge**, no later than ten (10) days before Calendar Call.
2. The Joint Pretrial Stipulation requires that all agreed matters be fully identified and any disputed matters be specifically delineated with respect to each party.

3. At the time of the above noticed Calendar Call, all parties must be prepared to discuss all items set forth in Florida Rule of Civil Procedure 1.200(b).

B. The Joint Pretrial Stipulation must contain the following in separately numbered paragraphs:

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 trial.
3. Statement of Disputed Law & Fact: A concise, impartial statement of those issues of law and fact that are to be tried.
4. Exhibit Lists: Each party must separately list all exhibits they intend to introduce into evidence. Each item must be listed by number and description on a separate schedule attached to the Joint Pretrial Stipulation. Each exhibit must be specifically described. **Generic descriptions of exhibits are subject to being stricken.** If any party objects to the introduction of any such exhibit, such objection **must be stated in the Joint Pretrial Stipulation**, setting forth the grounds with specificity. All exhibits must have been made available to all parties for examination. Parties must initial each other's exhibit lists and exhibits. **At trial, only those exhibits properly listed and initialed may be offered into evidence**.
5. Demonstrative Exhibits: all demonstrative exhibits (e.g., charts, graphs, enlargements of exhibits, etc.) intended to be used at a jury trial must be displayed to all parties at least ten (10) days before trial.
6. Witness Lists: Parties must furnish a written list containing the names and addresses of all witnesses intended to be called at trial in alphabetical order. Such list must designate the type of witness ("expert," "rebuttal," "impeachment," or otherwise) and must be attached to the Joint Pretrial Stipulation. All fact witness lists must include a brief description of **the substance and scope of the testimony** to be elicited from such witness. All expert witness lists must **designate the expert's specialties**. If any party objects to any witness, such objection must be stated in the Joint Pretrial Stipulation, setting forth the grounds with specificity. **At trial, only those witnesses properly and timely disclosed will be permitted to testify**.
7. Jury Instructions: If the trial is a jury trial, the parties must identify all agreed upon standard instructions and all special instructions. Copies of all agreed upon jury instructions and disputed jury instructions must be attached to the Joint Pretrial Stipulation identifying the party that proposed the instruction, along with copies of supporting statutory citations and/or case law.
8. Verdict Forms: If the trial is a jury trial, the jury verdict form must be designated as "agreed to" or "disputed" and must be attached to the Joint Pretrial Stipulation.
9. Peremptory Challenges: If the trial is a jury trial, the number of peremptory challenges for each party must be stated and attached to the Joint Pretrial Stipulation.
10. Pending Motions: Parties must set forth a list of all pending motions with copies attached to the Joint Pretrial Stipulation.
11. Trial Estimate: Each party must provide an estimate of the number of trial days required for presenting its side of the case.
12. Expert Challenges: All expert related issues involving any requests for hearings on related evidence must be noticed and heard—or agreed to by the parties—no later than forty-five (45) days prior to Calendar Call. FAILURE TO DO SO MAY

CONSTITUTE A WAIVER OF ANY EXPERT RELATED EVIDENCE ISSUE(S). It is within the discretion of the Court to remove any case with pending expert issues.

IX. COURT POLICIES:

A. Parties must do all things reasonable and necessary to assure the availability of witnesses for the entire Trial Period or to otherwise preserve witness testimony for trial as provided by the Florida Rules of Civil Procedure. *See* Fla. R. Civ. P. 1.300 & 1.460; *see also* Fla. R. Jud. Admin. 2.545.

B. The requirements of this Uniform Trial Order cannot be waived by stipulation **absent prior approval from the Court** pursuant to written agreement between the parties.

C. This Uniform Trial Order may be tailored by the assigned Division Judge to conform to the particular requirements of the residential foreclosure and complex litigation divisions. *See* Admin. Order 2019-5-Civ(6) (Jan. 2, 2019).

D. At trial, there will only be one (1) official record transcribed by one (1) court reporter. Plaintiff is responsible for arranging for a court reporter unless otherwise agreed. If a conflict exists, the parties must resolve it among themselves prior to Calendar Call.

X. CONTINUANCES:

No continuances will be granted without Court Order upon written motion setting forth good cause pursuant to AOSC20-23, Amendment 12 (April 13, 2021), Fla. R. Jud. Admin. 2.545(e). All motions seeking a continuance must comply with Fla. R. Civ. P. 1.460 and Fla. R. Jud. Adm. 2.545. Continuances requested for reasons relating to failure to follow this Order will not be granted.

A. CONTINUANCES will only be considered upon written motion filed with the Clerk of Court and served on the undersigned judge prior to the above noticed Calendar Call.

B. NO CONTINUANCES will be granted for reasons that should have been readily apparent to the parties when this Uniform Trial Order was issued.

C. NO CONTINUANCES will be granted if expert witnesses are unavailable because testimony may be preserved by deposition.

D. NO CONTINUANCES will be granted for reasons relating to the failure to follow this Uniform Trial Order.

XI. MANDATORY MEDIATION:

Mediation must commence no later than sixty (60) days prior to Calendar Call. The parties must comply with Florida Rules of Civil Procedure 1.700, 1.710, 1.720, and 1.730 as to the conduct of mediation. Plaintiff's counsel is appointed lead counsel to facilitate and schedule the settlement conference with the mediator and all parties. The Court appoints:

_____

_____

_____

as Mediator, unless, within thirty (30) days of this Uniform Trial Order, the parties choose a different Mediator. Failure to attend mediation may result in sanctions.

XII. SANCTIONS:

A. All parties should be familiar with Florida Rule of Civil Procedure 1.380 entitled "Failure to Make Discovery; Sanctions" and section 57.105, Florida Statutes, entitled "Attorney's fee; sanctions for raising unsupported claims or defenses; exceptions; service of motions; damages for delay of litigation."

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

XIII. SETTLEMENT NOTIFICATION:

Parties must immediately notify the Court in the event of settlement and submit a stipulation for an Order of Dismissal. Parties shall also cancel any and all pending hearings as a result of the settlement.

Pursuant to Florida Rule of Judicial Administration 2.516(h)(1), counsel must file this Uniform Trial Order with the Clerk of Court, serve any self-represented parties with this Uniform Trial Order, and file a "Certificate of Service" with the Clerk of Court, in compliance with Florida Rule of Judicial Administration 2.516(f), certifying the self-represented party was served with this Uniform Trial Order.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida on _____.

_____
Circuit Court Judge

CC: All persons listed on e-Portal Service List.

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 ADA Coordinator, Room 20140, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less Page 2 of 2 than 7 days. If you have a hearing or voice disability you can contact the court through the Florida Relay Service by calling 711.

"Exhibit C (Circuit Civil)"

Pathway	Case Type
STREAMLINED	Condominium RPMF –Commercial RPMF –Homestead RPMF -Non-Homestead Bond Entreasure Replevin Declaratory Judgment Equitable Relief Construction Lien Credit Card
GENERAL	Contract & Indebtedness Resid. Premises Liability Auto Negligence Other Negligence Injunctive Relief Insurance Claim Civil Forfeiture Negligent Security Commercial Premises Liability Discrimination - Employment or Other Libel / Slander Eminent Domain Product Liability

	Business Malpractice Medical Malpractice Other Professional Malpractice Business Torts Construction Defect Nursing Home Negligence Antitrust / Trade Regulation Business Transactions Challenge - Statute or Ordinance Challenge - Proposed Amendment Intellectual Property Shareholder Derivative All other Civil Case Types Not Listed
COMPLEX	Cases direct filed as complex and assigned to a complex litigation division pursuant to Administrative Order 2017-35-Civ or otherwise determined complex by the presiding judge

"Exhibit D (County Civil)"

ALL PARTIES MUST READ CAREFULLY
STRICT COMPLIANCE IS MANDATORY

IN THE COUNTY COURT IN AND
FOR BROWARD COUNTY, FLORIDA

CASE NO.: _____ COCE ___
Plaintiff, JUDGE: _____

v.

UNIFORM ORDER SETTING PRETRIAL DEADLINES AND RELATED REQUIREMENTS (GENERAL COUNTY CIVIL CASE)

Defendant.
_____/

(☐ Applicable if checked): PRETRIAL CONFERENCE:

(☐ Applicable if checked): CALENDAR CALL:

(If not checked, dates will be provided at a later time.)

PROJECTED DATE OF TRIAL:

NOTE: A firm trial date will be issued when the case is at issue pursuant to Rule 1.400, Fla.R.Civ. P.

NO CONTINUANCES will be granted without Court Order upon prior written motion setting forth extraordinary cause supported by client's written consent as required by Rule 2.545(e).

BY ORDER OF THE COURT the following requirements are imposed on all parties:

1. REQUIREMENTS OF PRETRIAL ORDER CANNOT BE WAIVED BY STIPULATION.

2. DISCOVERY must be served and completed no later than 240 days from the date of this Order.

3. EXPERT WITNESSES names and addresses shall be disclosed by the Plaintiff no later than 180 days from the date of this Order and by Defendant no later than 190 days from the date of this Order. No continuances will be granted because expert witnesses are unavailable for trial, because their testimony may be preserved by deposition.

4. MOTIONS AND OBJECTIONS directed to the pleadings, including Motions to Dismiss, shall be resolved no later than 75 days from the date of this Order, or they shall be deemed waived or abandoned without further notice or hearing unless not timely resolved for good cause shown. Matters constituting good cause shall be limited to those matters unforeseen upon exercise of due diligence. Attorney workload and staffing issues, standing alone, shall not constitute grounds for a claim of good cause.

PRETRIAL STIPULATION REQUIREMENTS

5. A JOINT PRETRIAL STIPULATION must be filed (☐ and, if checked, a copy delivered to the Court) by all counsel of record no later than 250 days from the date of this Order. THE COURT DOES NOT ACCEPT UNILATERAL PRETRIAL STIPULATIONS. It is the responsibility of all parties to cooperate in good faith in preparation of the Joint Pretrial Stipulation. FAILURE TO COMPLY WITH THIS REQUIREMENT WILL RESULT IN SANCTIONS. Any Unilateral Pretrial Stipulation filed will be *sua sponte* STRICKEN and sanctions imposed on the party filing it. Failure to file a complete Joint Pretrial Stipulation, including witness lists, exhibit lists, jury instructions and verdict forms (if a jury trial has been timely demanded), will result in postponement of the trial, and/or sanctions including dismissal and/or default. If either party delays the preparation of the Joint

Stipulation, a motion describing the delay must be immediately filed with the Clerk of Court and brought to the Court's attention prior to the deadline.

The Stipulation must be a **single, unified submission** and must contain the following information in separately numbered paragraphs or sections:

a. Concise, impartial statement of the facts of case.

b. List of any stipulated facts requiring no proof at trial.

c. Statement of disputed issues of law and fact to be tried.

d. Exhibits shall be listed by number and specific description on a separate schedule attached to the stipulation. Generic descriptions of exhibits will be stricken. Any evidentiary objections to any exhibit of an opposing party shall be delineated with specificity.

e. Witnesses', including "rebuttal" or "impeachment" witnesses, names and addresses shall be listed by name numerically on a separate schedule attached to the stipulation. Witnesses MUST be listed by actual NAME of the witness, and not designation (i.e., use of such designations as "Corporate Representative," "Records Custodian," and "Adjuster" standing alone is insufficient). All expert witnesses shall be so designated. Only those witnesses listed by NAME shall be permitted to testify at trial.

f. Agreed jury instructions and disputed jury instructions must be filed as part of the pretrial stipulation if a jury trial has been timely demanded. Disputed instructions shall be identified as to the party that proposed the instruction (☐ and, if checked, copies of any statutory citations and/or case law pertaining to the proposed instructions).

g. Agreed verdict form or disputed verdict forms must be filed as part of the pretrial stipulation if a jury trial has been timely demanded.

6. Failure to file a complete unified Pretrial Stipulation, including jury instructions and verdict forms if a jury trial has been timely demanded, will result in sanctions including dismissal and/or default.

7. At trial the parties shall be **STRICTLY LIMITED** to exhibits and witnesses disclosed and objections reserved in the pretrial stipulation. A party desiring to use an exhibit, examination or test result, or witness discovered after the deadlines set forth in this Order must immediately, upon discovery, notify all other counsel and the Court by written motion. Use of the exhibit, examination or test result, or witness may be allowed for extraordinary cause shown or to prevent manifest injustice.

MEDIATION AND ARBITRATION

8. (☐ **Applicable if checked):** MEDIATION: Simultaneously herewith, the parties are being referred to mandatory mediation, which shall be completed within 270 days of the date of this Order.

9. (☐ **Applicable if checked):** ARBITRATION: Simultaneously herewith, the parties are being referred to mandatory non-binding arbitration, which shall be completed within 275 days of the date of this Order.

10. FAILURE TO MEDIATE OR ARBITRATE IN GOOD FAITH OR TO ATTEND THE PRETRIAL CONFERENCE MAY RESULT IN DISMISSAL OR DEFAULT.

REQUIREMENTS RELATED TO PRETRIAL CONFERENCE

IF A PRETRIAL CONFERENCE DATE HAS BEEN SET IN THIS ORDER ABOVE, OR IF THIS BOX ☐ IS CHECKED, THE FOLLOWING PROVISIONS WILL APPLY:

11. MOTIONS FOR SUMMARY JUDGMENT will NOT be heard at the pretrial conference or at the time of trial (☐ but, if checked, must be heard no later than ten (10) days prior to the pretrial conference.)

12. (☐ **Applicable if checked):** Prior to the pretrial conference, the Court must have ruled on all motions previously filed, with the exception of motions in limine. In the absence of good cause for failure to set such motion for hearing, the Court may deem the motion waived or abandoned without further notice or hearing.

13. Motions in Limine must be heard at least five (5) days prior to the date of trial. All other pretrial motions, other than *Daubert* motions, shall be resolved no later than 10 days prior to the date of trial (unless required to be heard earlier by any other provision of this Order) or they shall be deemed waived or abandoned without further notice or hearing unless not timely resolved for good cause shown. Matters constituting good cause shall be limited to those matters unforeseen upon exercise of due diligence. Attorney workload and staffing issues, standing alone, shall not constitute grounds for a claim of good cause.

14. ALL *DAUBERT* related issues (Fla. Stat. §90.702) shall be noticed and heard – or agreed to by the parties – no later than two weeks before the pretrial conference. FAILURE TO DO SO SHALL CONSTITUTE A WAIVER AT TRIAL OR ANY *DAUBERT* RELATED EVIDENCE OBJECTION OR ISSUE.

15. ALL EXHIBITS MUST BE BROUGHT TO THE PRE-TRIAL CONFERENCE FOR PRE-MARKING. Any exhibit either party desires to use at trial exceeding four (4) pages in length must be consecutively paginated (by Bates-stamp method or otherwise). Any exhibit not meeting this requirement will not be allowed for use at trial.

16. At the time of the pretrial conference, the parties shall further be prepared to discuss all the items set forth in Fla. R. Civ. P. 1.200(b).

DONE AND ORDERED in chambers at Broward County, Florida on _____.

_____
COUNTY COURT JUDGE

Copies furnished:
Plaintiff Counsel

Defendant Counsel

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 ADA Coordinator, Room 20140, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

"Exhibit E (County Civil)"

ALL PARTIES MUST READ CAREFULLY
STRICT COMPLIANCE IS MANDATORY

IN THE COUNTY COURT IN AND
FOR BROWARD COUNTY, FLORIDA

CASE NO.: _____ COCE ___
Plaintiff, JUDGE: _____

v.

UNIFORM ORDER SETTING
PRETRIAL DEADLINES AND
RELATED REQUIREMENTS
(STREAMLINED COUNTY CASE)

Defendant.
_____/

(☐ Applicable if checked): PRETRIAL CONFERENCE:

(☐ Applicable if checked): CALENDAR CALL:

(If not checked, dates will be provided at a later time.)

PROJECTED DATE OF TRIAL:

NOTE: A firm trial date will be issued when the case is at issue pursuant to Rule 1.400, Fla.R.Civ. P.

NO CONTINUANCES will be granted without Court Order upon prior written motion setting forth extraordinary cause and supported by client's written consent as required by Rule 2.545(e).

BY ORDER OF THE COURT the following requirements are imposed on all parties:

1. REQUIREMENTS OF PRETRIAL ORDER CANNOT BE WAIVED BY STIPULATION.

2. DISCOVERY must be served and completed no later than 90 days from the date of this Order.

3. EXPERT WITNESSES names and addresses shall be disclosed by the Plaintiff no later than 30 days from the date of this Order and by Defendant no later than 40 days from the date of this Order. No continuances will be granted because expert witnesses are unavailable for trial, because their testimony may be preserved by deposition.

4. MOTIONS AND OBJECTIONS directed to the pleadings, including Motions to Dismiss, shall be resolved no later than 75 days from the date of this Order, or they shall be deemed waived or abandoned without further notice or hearing unless not timely resolved for good cause shown. Matters constituting good cause shall be limited to those matters unforeseen upon exercise of due diligence. Attorney workload and staffing issues, standing alone, shall not constitute grounds for a claim of good cause.

PRETRIAL DISCLOSURE REQUIREMENTS

5. A WITNESS AND EXHIBIT LIST must be filed by each party (☐ and, if checked, a copy delivered to the Court) no later than 100 days from the date of this Order. If either party delays the filing of a Witness and Exhibit List, a motion describing the delay must be immediately filed with the Clerk of Court and brought to the Court's attention prior to the deadline.

   a. Exhibits shall be listed by number and specific description on a separate schedule attached to the stipulation. Generic descriptions of exhibits will be stricken. Any evidentiary objections to any exhibit of an opposing party shall be delineated with specificity.

b. Witnesses', including "rebuttal" or "impeachment" witnesses, names and addresses shall be listed by name numerically on a separate schedule attached to the stipulation. Witnesses MUST be listed by actual NAME of the witness, and not designation (i.e., use of such designations as "Corporate Representative," "Records Custodian," and "Adjuster" standing alone is insufficient). All expert witnesses shall be so designated. Only those witnesses listed by NAME shall be permitted to testify at trial.

6. Failure to file a Witness and Exhibit List, will result in sanctions including dismissal and/or default.

7. At trial the parties shall be **STRICTLY LIMITED** to exhibits and witnesses disclosed in the pretrial stipulation. A party desiring to use an exhibit, examination or test result, or witness discovered after the deadlines set forth in this Order must immediately, upon discovery, notify all other counsel and the Court by written motion. Use of the exhibit, examination or test result, or witness may be allowed for extraordinary cause shown or to prevent manifest injustice.

MEDIATION AND ARBITRATION

8. (☐ **Applicable if checked):** MEDIATION: Simultaneously herewith, the parties are being referred to mandatory mediation, which shall be completed within 105 days of the date of this Order.

9. (☐ **Applicable if checked):** ARBITRATION: Simultaneously herewith, the parties are being referred to mandatory non-binding arbitration, which shall be completed within 120 days of the date of this Order.

10. FAILURE TO MEDIATE OR ARBITRATE IN GOOD FAITH OR TO ATTEND THE PRETRIAL CONFERENCE MAY RESULT IN DISMISSAL OR DEFAULT.

REQUIREMENTS RELATED TO PRETRIAL CONFERENCE

IF A PRETRIAL CONFERENCE DATE HAS BEEN SET IN THIS ORDER ABOVE, OR IF THIS BOX ☐ IS CHECKED, THE FOLLOWING PROVISIONS WILL APPLY:

11. MOTIONS FOR SUMMARY JUDGMENT will NOT be heard at the pretrial conference or at the time of trial (☐ but, if checked, must be heard no later than ten (10) days prior to the pretrial conference.)

12. **(☐ Applicable if checked):** Prior to the pretrial conference, the Court must have ruled on all motions previously filed, with the exception of motions in limine. In the absence of good cause for failure to set such motion for hearing, the Court may deem the motion waived or abandoned without further notice or hearing.

13. Motions in Limine must be heard at least five (5) days prior to the date of trial. All other pretrial motions, other than *Daubert* motions, shall be resolved no later than 10 days prior to the date of trial (unless required to be heard earlier by any other provision of this Order) or they shall be deemed waived or abandoned without further notice or hearing unless not timely resolved for good cause shown. Matters constituting good cause shall be limited to those matters unforeseen upon exercise of due diligence. Attorney workload and staffing issues, standing alone, shall not constitute grounds for a claim of good cause.

14. ALL *DAUBERT* related issues (Fla. Stat. §90.702) shall be noticed and heard – or agreed to by the parties – no later than two weeks before the pretrial conference. FAILURE TO DO SO SHALL CONSTITUTE A WAIVER AT TRIAL OR ANY *DAUBERT* RELATED EVIDENCE OBJECTION OR ISSUE.

15. ALL EXHIBITS MUST BE BROUGHT TO THE PRETRIAL CONFERENCE FOR PRE-MARKING. Any exhibit either party desires to use at trial exceeding four (4) pages in length must be consecutively paginated (by Bates-stamp method or otherwise). Any exhibit not meeting this requirement will not be allowed for use at trial.

16. At the time of the pretrial conference, the parties shall further be prepared to discuss all the items set forth in Fla. R. Civ. P. 1.200(b).

DONE AND ORDERED in chambers at Broward County, Florida on _____.

_____
COUNTY COURT JUDGE

Copies furnished:
Plaintiff Counsel
Defendant Counsel

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 ADA Coordinator, Room 20140, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

"Exhibit F (County Civil)"

Pathway	**Case Type**
SMALL CLAIMS (Rules of Civil Procedure Not Invoked)	Not Applicable
EVICTIONS/ UNLAWFUL DETAINER	Not Applicable
STREAMLINED	Animal Abandonment or Abuse Auto Recovery/Repossession Delayed Birth Certificate Approve Minor Settlement Confirm Arbitration Award Replevin Contest Foreign Judgment Consumer Debt $8000 or greater Enforce Foreign Judgment Foreclosure Distress $8,000 or greater Vehicle Title Transfer
GENERAL	Personal Injury Protection (PIP) Property Insurance Other Civil Damages $8000 or greater Other Equity $8,000 or greater