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

Administrative Order No. 2026-25-CO

ADMINISTRATION OF SMALL CLAIMS CREDIT CARD CASES AND AUTOMATIC INVOCATION OF CERTAIN FLORIDA RULES OF CIVIL PROCEDURE IN SMALL CLAIMS CREDIT CARD CASES ASSIGNED TO COUNTY CIVIL DIVISIONS 47, 101, AND 102

(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 "ensures the efficient and proper administration of all courts within [this] circuit, considering available resources."

(c) Pursuant to Section III of Administrative Order 2025-40-CO, Paragraph (1), all "small claims credit card cases" filed under specified Clerk's filing codes shall be assigned to County Civil Divisions 47, 101, and 102.

(d) Small Claims cases are governed by the Florida Small Claims Rules. However, Florida Small Claims Rule 7.020(c) provides "[i]n any particular action, the court may order that action to proceed under 1 or more additional Florida Rules of Civil Procedure on application of any party, the stipulation of all parties, or on the court's own motion."

(e) Rule 7.090(b) of the Florida Small Claims Rules requires an initial pretrial conference to be held no later than 50 days after filing of the case. The Plaintiffs in the majority of these cases are typically failing to obtain service of process within this deadline, resulting in hundreds of reset pretrial conferences, substantially increasing the workload for both the Court and the Clerk.

(f) Rule 7.070(b) of the Florida Small Claims Rules requires service of process to be effectuated within 120 days of the filing of the case. The rule further provides that if the movant requests additional time to serve before the expiration of the 120 days, an additional 120 days will be provided to effectuate service; provided, however, that the court may, if leave is sought to add a party after a pretrial conference is convened under rule 7.090(b)(2), require a showing of good cause for the delay, and order that service be effected within a reasonable time.

(g) Florida Rule of Civil Procedure 1.070(j) requires service of process to be effectuated within 120 days of the filing of the case, failing which upon the court's own initiative the case may be dismissed without prejudice, subject to the Plaintiff's ability to show good cause or excusable neglect for failure to serve within this deadline.

(h) Florida Rule of Civil Procedure 1.200(k) provides that after the action has been set for an actual trial period, the trial court may, or must on the timely motion of any party, require the parties to appear for a pretrial conference.

(i) The uniform invocation of Florida Rules of Civil Procedure 1.070(j) and 1.200(k) in Divisions 47, 101, and 102 small claims cases conserves judicial resources and promotes judicial economy and efficiency.

(j) 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, it is hereby **ORDERED, effective July 1, 2026**:

(1) Invocation of Certain Rules. Upon the filing of a small claims credit card case, Florida Rules of Civil Procedure 1.070(j) and 1.200(k) shall automatically be invoked without further order of the Court and shall prevail over Rules 7.070(b) and 7.090(b).

(2) Small Claims Pretrial Conferences and Related Logistics. Upon the filing of a small claims credit card case, the Clerk of Court shall randomly assign the case in either Division 47, Division 101, or Division 102, and the Clerk of the Court shall set the pretrial conference for a date no sooner than 130 days before and no later than 150 days after the filing of the case, unless otherwise advised in writing by the

Administrative Judge. Further, the Administrative Judge shall provide the Clerk a calendar of pretrial conference dates, as well as a "cap" of pretrial conferences to be set on each docket. Each division shall have the same cap. For efficient use of Clerk and Court Mediation staff, as well as convenience to the parties, dockets may not be set at the same time for these divisions. Unless otherwise determined by the Chief Judge or Administrative Judge, the pretrial conference dates shall be held in the same courtroom for efficient operation of the credit card divisions.

(3) Failure to Timely Serve. If the plaintiff fails to file proof of service within 120 days of filing of the case, the presiding judge shall take appropriate action, including dismissing the case without prejudice at the pretrial conference, unless the Plaintiff no later than 5 days before the pretrial conference files and delivers to the Court via the Court Management System "CMS" workbench, a Motion to Extend Service Deadline setting forth with specificity the factual grounds establishing good cause or excusable neglect for failure to timely serve and proposed Order. If the Plaintiff timely files such a motion and timely delivers a copy of the motion and proposed order to the Court via the CMS workbench, then the trial court shall first consider and issue a ruling on the motion before deciding whether the case shall be dismissed without prejudice for lack of timely service.

(4) Waiver of Appearance at the Pretrial Conference. When all parties are represented by an attorney, counsel may agree to waive personal appearance at the initial pretrial conference, if a written agreement of waiver signed by all attorneys is presented to the court. The agreement shall contain a short statement of the disputed issues of fact and law, the number of witnesses expected to testify, an estimate of the time needed to try the case, and any stipulations of fact.

The deadline to deliver the Joint Stipulation to Waive Appearance at the Pretrial Conference and Order to the Court, via the Court Management System "CMS" workbench, is noon (12:00 p.m.), three (3) business days before the scheduled Pretrial Conference. If the Joint Stipulation is not reflected in the docket, counsel must submit a copy which reflects the e-filing number on top. The submission of a Motion does not excuse appearance at the Pretrial Conference unless the Court has actually entered the order. Upon approval of the Waiver, the Court shall set the trial as required by Rule 7.090(d), and may refer the case to an expedited mediation. Any mediation arising out of a case where pretrial conference has been waived, shall be solely at the parties' expense.

(5) Submission of Proposed Final Judgment or Settlement Documents. Upon entry of default, the trial court shall enter its order as follows: "The Plaintiff shall submit its proposed settlement or judgment package (together with relevant affidavits) to the Court electronically via the Court Management System ("CMS") Workbench within 30 calendar days of the date of this Order, failing which the Court shall conclude that the matter has been resolved or abandoned and shall dismiss the case without further notice or hearing." Further, for the efficient administration of these divisions, the court may not require proposed judgments or settlement documents to be submitted in hard copy to the court for processing, but must accept the documents through the CMS workbench, also referred to as the "e-order system."

(6) Demand for Jury Trial. If a Demand for Jury Trial is timely filed, the matter will be randomly reassigned by the Clerk to a Judge in the County Civil Jury Division. A proposed Order of Transfer along with the Demand for Jury Trial must be submitted directly to the Court Management System "CMS" workbench. Parties who submit the Demand for Jury Trial and proposed Order of Transfer to the Court via the Court Management System ("CMS") Workbench no later than noon (12:00 p.m.), three (3) business days before the scheduled Pretrial Conference, are excused from appearing in person; otherwise, appearance in person is required.

(7) Other Division Procedures. To effectuate an efficient operation of the Credit Card divisions, as well as convenience to Clerk staff and the parties, the Judges assigned to Divisions 47, 101, and 102 shall collaborate so that any other operational procedures are substantially similar.

This Administrative Order vacates and supersedes Administrative Order 2025-41-CO.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida on this 29th day of June, 2026.

/s/ *Carol-Lisa Phillips*
Carol-Lisa Phillips, Chief Judge