



## DIVISION B POLICIES AND PROCEDURES<sup>1</sup>

Updated June 2025

JUDGE KRISTEN SMITH-RODRIGUEZ

Eighteenth Judicial Circuit Court of the State of Florida Division B

Titusville Historic Courthouse  
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*A sincere thank you to the Honorable Bruce Anderson, Circuit Judge of the 4<sup>th</sup> Judicial Circuit of Florida and the Honorable Scott Blaue, Circuit Judge of the 18<sup>th</sup> Judicial Circuit of Florida for their willingness to share their knowledge, tools, and resources, which guides these policies and procedures.*

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<sup>1</sup> These "Policies and Procedures" are published to assist counsel appearing in Division B by addressing routine questions and issues that arise while litigating and trying cases and will be revised/updated periodically. They are not intended to relax or supplant the Florida Statutes, the Florida Rules of Court, local rules of Court, administrative orders, case specific court orders, the Rules Regulating Florida Bar (including, without limitation, the Rules of Professional Conduct), or any other substantive or procedural law (collectively, the "Applicable Law, Rules and Procedures"). All Applicable Law, Rules, and Procedures are intended to prevail, unless expressly stated otherwise.

## DIVISION B POLICIES AND PROCEDURES TABLE OF CONTENTS

Section	Page No.
I. SHORT MATTERS HEARINGS .....	4
II. CIVIL CASE MANAGEMENT AND SETTING CASES FOR TRIAL (JURY AND NON-JURY).....	4
III. SETTING HEARINGS FOR PENDING MOTIONS .....	5
IV. REQUEST FOR EMERGENCY HEARING: .....	10
V. HEARINGS REQUIRING MORE THAN FOUR HOURS .....	10
VI. CANCELLATION OF HEARING:.....	10
VII. PROPOSED ORDERS BY AGREEMENT OR WHEN THE COURT MAKES A RULING: .....	11
VIII. PROPOSED ORDERS WITHOUT A HEARING: .....	11
IX. PROPOSED ORDERS WHEN COURT TAKES MATTER UNDER ADVISEMENT:.....	12
X. MOTION TO COMPEL OR MOTION FOR SANCTIONS FOR FAILURE TO PRODUCE DISCOVERY AND MOTION FOR PROTECTIVE ORDER.....	13
XI. COMPULSORY MEDICAL EXAMINATIONS (CME).....	14
XII. DISCLOSURE OF PROTECTED HEALTH INFORMATION (HIPAA).....	14
XIII. GUIDELINES REGARDING PRIVILEGE LOGS AND IN CAMERA REVIEW PROCEDURES .....	14
XIV. ELECTRONICALLY STORED INFORMATION DISCOVERY (ESI).....	14
XV. POST-ACCIDENT SURVEILLANCE VIDEO:.....	14
XVI. PROCEDURES FOR SCHEDULING F.S. 90.702 (“DAUBERT”) TYPE HEARINGS: .....	15
XVII. PROCEDURES FOR PLEADING, SCHEDULING, AND HEARING SUMMARY JUDGMENT MOTIONS (MSJ) .....	16
XVIII. MOTIONS IN LIMINE (MIL) .....	16
XIX. CLOSING ARGUMENTS .....	17
XX. EMERGENCY MOTION/MOTION FOR REHEARING/MOTION FOR NEW TRIAL: .....	17
XXI. ATTORNEY’S FEES AND COSTS: .....	17
XXII. PROCEDURES FOR SETTLEMENT OR DISMISSAL OF CASES:.....	17

XXIII. MINOR’S SETTLEMENT: .....	18
XXIV. JURY TRIAL DEADLINES .....	18
XXV. NON-JURY TRIAL DEADLINES: .....	18
XXVI. WITHDRAWAL/SUBSTITUTION OF COUNSEL: .....	18
XXVII. <i>EX PARTE</i> PERSONAL COMMUNICATIONS/CORRESPONDENCE.....	19

## TABLE OF EXHIBITS:

## Page No.

“EXHIBIT A:”	CERTIFICATE OF COMPLIANCE.....	20
	FIRST OPTION AND SECOND OPTION	
“EXHIBIT B:”	SAMPLE NOTICES OF HEARING.....	21
	(via Teams, and in-person hearing)	
“EXHIBIT C:”	NOTICE OF REQUEST FOR COURT TO.....	24
	CONSIDER MOTION BASED ON WRITTEN	
	SUBMISSIONS WITHOUT HEARING	
“EXHIBIT D:”	SAMPLE COVER LETTER.....	25
“EXHIBIT E:”	ORDER ON MOTION BASED.....	26
	ON WRITTEN SUBMISSIONS	
“EXHIBIT F:”	SAMPLE ORDER AFTER HEARING .....	27
“EXHIBIT G:”	SAMPLE AGREED ORDER.....	28

## I. SHORT MATTERS HEARINGS:

A. Short Matters hearings are only for uncontested matters that can be heard and addressed by the Court in five minutes or less.

B. Short Matters will be held from 8:00 A.M. to 9:00 A.M. on certain, identified dates; namely, Friday mornings not during trial dockets. Available short matters hearing times can be located and scheduled via the JACS program, accessible through the Court's website.

C. Short matters hearings will be conducted through Microsoft Teams via the Virtual Courtroom at <https://fl18.org/judgesmithrodriguez>. Remote video appearance will be required for both local and out-of-town counsel/parties pursuant to Rule 2.530, Fla. R. Jud. Admin.

D. All attorneys, parties, or other persons participating in or observing the short matters hearing remotely through the use of communication technology shall comply with *The Florida Bar Recommended Best Practices for Remote Court Proceedings*. A copy can be found on this Court's website.<sup>2</sup>

## II. CIVIL CASE MANAGEMENT AND SETTING CASES FOR TRIAL (JURY AND NON-JURY):

A. Administrative Order No. 25-08 (effective February 1, 2025): Counsel are expected to comply with *Administrative Order No. 25-08*, concerning Civil Case Management. For all applicable Circuit Civil cases filed in this Circuit after February 1, 2025, the Plaintiff must make an initial designation of Case Management Track on the Civil Case Management Track Designation Form, (attached to *AO 25-08* as "Exhibit. A").

Upon the commencement of the action and based on the specified track indicated in the Civil Case Management Track Designation Form, the Court will issue the uniform Case Management Order for the **Streamlined Track** (attached to *AO 25-08* as "Exhibit. B") or **General Track** (attached to *AO 25-08* as "Exhibit. C"). The **Streamlined Case Management Order** will specify a Projected Trial Period that is twelve (12) months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j); and the **General Case Management Order** will specify a Projected Trial Period that is eighteen (18) months after the expiration of the time to perfect service of process under *Fla.R.Civ.P.* 1.070(j). Cases designated as Complex on the Civil Case Management Track Designation Form will be issued a **General Case Management Order** which will control the case until a proper motion to designate the case as Complex (*Rule 1.201*) is filed and heard.

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<sup>2</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/> Policy Document #04.

The current Civil Case Management Track Designation Form and the Uniform **Streamlined Case Management Order** and **General Case Management Order** can be found on the Court's website at <https://flcourts18.org/case-management/>.

B. Actual Trial Period and Pre-Trial Compliance Orders: A Trial Order will be issued 120 days prior to the Projected Trial Period specified in the Case Management Order. The Trial Order will set the Actual Trial Period, the Pre-Trial Conference date, and Direct Pre-Trial Compliance based on the Case Management Order. Failure of the pleadings to be closed will not preclude the court from setting a case on an Actual Trial Period.

C. Rule 1.440 Setting Action for Trial: If a party seeks a trial before the projected or actual trial date, any party may file a Motion to set the matter for trial, and must serve a copy of the motion on the presiding judge.

D. The parties must comply with the “***Trial Conduct and Courtroom Decorum Policy***” that can be found on the Court's website.<sup>3</sup>

E. If a case settles, the parties must immediately contact the Court to have the case removed from the calendar/trial docket. In addition, the parties must comply with the Court's “***Procedures for Settlement or Dismissal of Cases***” (See **Section XXI** *infra*).

### III. SETTING HEARINGS FOR PENDING MOTIONS:

A. Abandonment of Motions: For the following motions, the movant has 60 days after filing the motion, to coordinate a hearing with opposing counsel/party and file a Notice of Hearing OR submit a proposed Agreed Order<sup>4</sup> on the motion. Otherwise, the Motion/objection is deemed abandoned and denied. The Non-Movant shall timely submit a proposed Order<sup>5</sup> setting forth the grounds upon which the Motion/objection has been abandoned and is deemed abandoned and denied.

- Motions to Dismiss
- Motions for More Definite Statement
- Motions to Strike
- Motions to Amend Complaint
- Motions to Amend Answer/Affirmative Defenses
- Objections to pleadings
- Motions for Protective Order
- Motions to Compel

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<sup>3</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriquez-policies-page/>, Policy Document #05.

<sup>4</sup> Proposed Orders shall be submitted in compliance with **Section VII.B** *infra*.

<sup>5</sup> Proposed Orders shall be submitted in compliance with **Section VII** *infra*

B. Coordination of Hearings: When coordinating and scheduling hearings, depositions or other proceedings, all counsel and self-represented parties are required to comply with the Guidelines for Professional Conduct applicable to Scheduling, Continuances and Extensions of Time, as set forth in the **2022-2024 Professionalism Handbook** published by the Florida Bar Standing Committee on Professionalism. A copy can be found on this Court's website.<sup>6</sup> **In addition, prior to scheduling a hearing**, the parties are required to comply with the Court's Meet and Confer Requirement (See **Section III. L, *infra***); and to *Certify the Compliance* in the Notice of Hearing (in the same form as attached hereto as "**Exhibit A**").

C. Scheduling Hearings: Hearing availability is published on JACS (Judicial Automated Calendaring System) accessible through the Court's website, <https://flcourts18.org> and the Judge's Policies and Procedures. The Movant shall contact the opposing counsel or opposing party to coordinate a date and time for the hearing. After coordination, the Movant shall email Judicial Assistant Karen Flash at [karen.flash@flcourts18.org](mailto:karen.flash@flcourts18.org) with their requested (and coordinated) hearing date and time. The JA will confirm via email. The Movant shall have 24 hours to file the Notice of Hearing AND email the JA a copy. **Your hearing is not officially set on the Court's calendar until the Notice of Hearing is filed AND a copy is sent to the JA.** Failure to comply with this provision will result in the hearing not taking place.

D. Evidentiary Hearings one hour or less AND Non Evidentiary Hearings two hours or less: Judge Smith-Rodriguez conducts all evidentiary hearings of one hour or less and all non-evidentiary hearings two hours or less, through Microsoft Teams via the Virtual Courtroom at <https://fl18.org/judgesmithrodriguez> as allowed by Rule 2.530, Fla. R. Gen. Prac. & Jud. Admin. All remote hearings are conducted in accordance with ***The Florida Bar Recommended Best Practices for Remote Court Proceedings***, with which all attorneys, parties, witnesses, or other persons participating in or observing remote court proceedings shall comply. A copy of which can be found on this Court's website.<sup>7</sup>

E. Exhibits for Virtual / Remote Hearings: The Court prefers to receive digital evidence on a thumb drive with individual files. Files of each agreed upon exhibit should be labeled numerically. Files of all other exhibits should be labeled alphabetically. Prior to the hearing, both counsel are *strongly* encouraged to discuss the digital exhibits.

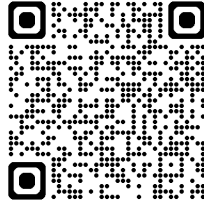
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<sup>6</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #03.0.

<sup>7</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #04.

F. Virtual / Remote Hearings: All Virtual / Remote hearings will be held through the free application Microsoft Teams by using the Judge's Virtual Courtroom:

<https://fl18.org/judgesmithrodriguez>



Judge Smith-Rodriguez' preferred Notice of Hearing<sup>8</sup> is provided for your convenience, but you may use any notice that includes generally comports with Exhibit B.

G. Hearings more than one hour<sup>9</sup>: Non-Evidentiary and Evidentiary<sup>10</sup> hearings more than one hour in length will be conducted in person at the **Titusville Historic Courthouse, 506 A. Palm Avenue, Titusville, Florida 32796.**

H. Courtesy copies: The Court does not require a courtesy copy of any document that has been e-filed and docketed by the Clerk of Court (unless it is not viewable on BECA/ICMS at least three (3) days prior to the hearing date). A courtesy copy of any document filed less than three (3) days prior to the hearing must be provided to the Court via email to the JA at karen.flash@flcourts18.org, with an email message identifying the hearing for which it is being furnished. All opposing counsel/unrepresented parties must be copied on the email, or mailed to an unrepresented party who has not provided an email address.

I. Hearing Notebooks, Legal Memorandums and Citations: Any hearing notebooks, legal memorandums, or briefs must be provided to the Court at least three (3) business days before the hearing, or immediately if the hearing is scheduled within that time period. Such item(s) are to be provided in **electronic format** via email to the JA at karen.flash@flcourts18.org, with an email message identifying the content. Please be sure to provide all opposing counsel with the same cover letter and item(s) by copying them on the email to the Court. The Court will attempt to review the motion(s) and the memorandums, and read the cases cited therein, prior to the hearing so that an immediate ruling may be rendered. ***Highlighting pertinent sections of case law and bookmarking sections of Motions and exhibits in the pdf file provided to the Court, is encouraged and appreciated. Brevity is also appreciated. Counsel are encouraged to limit citations to no more than two authorities per legal issue or proposition.*** Case law and Memoranda provided to the Court less than three (3) business days prior to the scheduled hearing or for the first time during the hearing may not (in the Court's discretion) be considered.

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<sup>8</sup> Notices must comply with the Court's procedures set out in **Section III.L.&M.**, *infra*.

<sup>9</sup> Must also comply with **Section V.** *infra*.

<sup>10</sup> A remote evidentiary hearing must comply with *The Florida Bar Recommended Best Practices for Remote Court Proceedings*, found at Division D website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #04.

J. All Non-Evidentiary Hearings: The Court, depending on the circumstances, may exercise its discretion and rule on non-evidentiary motions without a hearing<sup>11</sup>. Therefore, counsel are encouraged to timely file written argument supporting and opposing their positions with the Court.

K. Limitation on Hearings: All hearings related to dispositive motions and trial matters must be filed and heard prior to the pre-trial conference pursuant to the deadlines set forth in the Court's **Case Management Order**. Motions in Limine (MIL) are governed by **Section XVII** *infra*. Motions for Summary Judgment (MSJ) are governed by **Section XVI** *infra*. NO HEARINGS DIRECTED TOWARDS MATTERS INVOLVING THE TRIAL, MSJ, OR MIL WILL BE HEARD DURING THE ACTUAL TRIAL PERIOD absent unanticipated events occurring.

L. Meet and Confer Requirement: Pursuant to Rule 1.202 a moving party is required to separately certify it has complied with the conferral requirement prior to filing the motion. In addition to, and consistent with the conferral requirements of Rule 1.201(c)(4), this Court has established a mandatory meet and confer policy for motions to be set for hearing in Circuit Civil Division B. The movant must certify compliance with this policy as set out below, **before scheduling the hearing** *except for the following motions: time to extend service of initial process; default; injunctive relief without notice; judgment on the pleadings; summary judgment; to dismiss for failure to state a claim; to permit maintenance of a class action; and any other motion permitted under Rule 1.202(c).*

The term “confer” requires a substantive conversation in person or by technology in a good faith effort to resolve the motion without the need to schedule a hearing *and does not envision an exchange of ultimatums by fax, e-mail or letter*. Counsel (both movant and opposing) who has full authority to resolve the matter shall confer before **scheduling the hearing** on the motion to attempt to resolve or otherwise narrow the issues raised in the motion.

It shall be the responsibility of the counsel who schedules the hearing to arrange the conference. Opposing counsel must respond promptly to inquiries and communications from opposing counsel who will notice the hearing and is attempting to schedule the conference.

Counsel who schedules the hearing shall include in the Notice of Hearing filed with the Court, a *Certificate of Compliance* (in the same form as attached hereto as “**Exhibit A**”) reflecting the outcome of the Conferral as set forth herein.

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<sup>11</sup> There is no rule or law in Florida state or federal court that requires a trial judge to hear oral argument on a pretrial non-evidentiary motion. See *Gaspar, Inc., v. Naples Fed. Sav. & Loan Ass’n*, 546 So. 2d 764 (Fla. 5<sup>th</sup> DCA 1989). A party is afforded due process on such matters when given an opportunity to present a legal memorandum and then Court may enter an order based upon submissions without a noticed hearing and oral argument of counsel. See also *Nudel v. Flagstar Bank*, 52 So. 3d 692 n.3 (Fla. 4th DCA 2010).



(“**Exhibit A**” “**First Option**”) that the conferral occurred but the parties were unable to reach an agreement.

(“**Exhibit A**” “**Second Option**”) that counsel scheduling the hearing was unable to reach opposing counsel to conduct the conference after three (3) good faith attempts, and identify the dates and times of the efforts made to contact opposing counsel.

(“**Exhibit A**” “**Third Option**”) that Conferral under Rule 1.202 is not required.

Counsel who notices the hearing shall ensure that the Court and the Court’s judicial assistant are aware of any narrowing of the issues or other resolution as a result of the conference.

M. Form of Notice of Hearing: The *Notice of Hearing* must contain the following information:

- The date and time of the hearing;
- The amount of time reserved for the hearing;
- The name of the Motion(s) to be heard;
- The date of filing of the Motion(s);
- The Clerk’s Docket Number of the filed Motion(s);
- The location of the hearing – Virtual/Remote hearings must include the virtual link; In Person hearings must include the courthouse address.
- Attach the Certificate of Compliance with Meet and Confer requirements [see **Section III.L. supra**].

**If the hearing is an evidentiary hearing**, the Notice must be titled as such: “Notice of Evidentiary Hearing.”

N. Election to Decide Motion on Written Submissions, Without a Hearing **A party in a civil action may choose to seek a ruling from the court on a pretrial non-evidentiary motion based on written submissions that do not necessitate a hearing before the court.** Motions that may be ruled on based on written submissions include, but are not limited to Motions to Strike, Motions to Compel, Motions to Dismiss, Motions to Take Judicial Notice, Motions to Stay, Motions to Reschedule Mortgage Foreclosure Sale, Motions for Continuance, and Motions for Disqualification.<sup>12</sup>

If a party in a civil action seeks a ruling on a motion based on only written submissions, the movant shall file a *Notice of Request for Court to Consider Motion Based on Written Submissions without Hearing*. A sample form is attached hereto as **Exhibit “C.”**

The opposing party/counsel shall have 15 days after being served both the motion and the notice to file their argument and legal memorandum with citations of authority in opposition to the relief requested. The opposing party may also request to have the matter heard before the Court if the opposing party seeks a hearing on the matter within the 15-day period after the notice is filed.

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<sup>12</sup> Motions for Summary Judgment may not be decided via the written submissions procedure.

**Following expiration of the period allowed for these submissions**, the movant shall email the Judicial Assistant at [karen.flash@flcourts18.org](mailto:karen.flash@flcourts18.org) a cover letter (or in the body of an email) to the Court detailing that the motion is ripe for a decision (at least 16 days after the original notice has been sent), stating the movant's compliance with this procedure, and including a copy of the motion, and any responsive filings filed by the opposing party. Movant's cover letter should appear substantially similar to **Exhibit "D."** Movant should also include a proposed Order<sup>13</sup> of the *Order on Motion Based on Written Submissions*. **Exhibit "E"** is a sample form order which may be used. The Court may, at any time following the date the motion is ripe for a decision, rule without further notice or hearing or direct the matter to be heard.

The filing of a *Notice of Request for Court to Consider Motion Based on Written Submissions without Hearing* does not require the Judge to rule without oral argument.

#### **IV. EMERGENCY MOTIONS AND REQUEST FOR HEARING:**

Upon filing an Emergency Motion, the movant must email a copy of the filed Motion to JA at [karen.flash@flcourts18.org](mailto:karen.flash@flcourts18.org). The Court will decide whether the reasons set forth in a motion for emergency hearing and/or the allegations contained in the motion constitute an actual emergency. If the Court determines that the motion does allege an actual emergency, it will take whatever action is deemed appropriate, including entry of an *ex parte* order if permissible by law, or setting the matter for hearing.

#### **V. REQUESTS FOR HEARINGS REQUIRING FOUR HOURS OR MORE:**

If you are requesting a hearing of four hours or more, the matter must first be submitted to mediation, and the party requesting the hearing must provide the Notice of Impasse or Partial Settlement to the Court's Judicial Assistant with the request for hearing time.

#### **VI. CANCELLATION OF HEARING:**

A. When cancelling a hearing, you must email the Judicial Assistant and copy opposing counsel notifying the Judicial Assistant of the cancellation.

B. **DO NOT** assume the hearing is automatically removed from the Court's calendar. **A Notice of Cancellation that has been e-filed with the Clerk is not sufficient notice of a cancellation. Cancellation of a hearing MUST be confirmed with and by the Court.**

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<sup>13</sup> Proposed Orders shall be submitted in compliance with **Section VII** *infra*.

## **VII. PROPOSED ORDERS – BY AGREEMENT OR WHEN THE COURT MAKES A RULING:**

The Court will strive to issue orders and rulings in a timely manner. Every effort will be made to rule the day of the hearing.

### **A. Proposed orders after a hearing are to be timely submitted to the Court as follows:**

1. If counsel is asked to prepare an order, the order should be drafted and circulated to opposing counsel within three (3) working days and must be submitted to the Court within seven (7) days of the hearing, with a copy to opposing counsel.
2. All orders must describe, in the caption, the subject and ruling of the court, e.g., "Order Granting Plaintiff's Motion for Partial Summary Judgment on Liability." The introductory paragraph of the Order must include the date of the hearing and the title, date filed, Clerk's docket number of the subject Motion, and the names of the parties and attorneys in attendance.
3. Once the parties have agreed to the form of the Order to be submitted, the proposed Order should be submitted to the Court via the "Proposed Document" section of the Florida Courts E-Filing Portal, in accordance with the **instructions in Paragraph B below**.
4. If the parties are unable to agree on the form of the order that accurately reflects the Court's ruling, both sides shall present their respective proposed orders to the court for consideration within seven (7) days of the hearing, via email with copies to opposing counsel.
  - a) **The party objecting to the proposed order shall also present a "redline" version of the proposed order to the Court, in Microsoft Word format and using the "Track Changes" function, together with a transcript of the holding if a Court Reporter was requested by any party.** The purpose of providing the Court with a "redline" version of the proposed order in Microsoft Word format, using the "Track Changes" function, is to allow the Court to compare the versions of the competing proposed orders to consider and comprehend what has been changed, revised or added. Copies of any such "redline" version of the proposed order and hearing transcript shall be provided to opposing counsel/ unrepresented party.

### **B. Proposed Orders without a hearing:**

All "Consent" or "Agreed" Orders shall include the word "Consent," "Agreed," or "Uncontested" in the title of the proposed Order, and must include in the title the subject and ruling of the Court, e.g., "Agreed Order Granting Plaintiff's Motion for Partial Summary Judgment on Liability."

**C. PROPOSED ORDERS SUBMITTED VIA THE E-PORTAL MUST BE AGREED UPON AND MUST INCLUDE A COVER LETTER INDICATING:**

1. The Motion, docket number, date of hearing, (or submitted without a hearing), and title of the Order; and
2. The cover letter must be submitted in .pdf format, and the proposed Order itself must be submitted in Microsoft Word, in the .docx format, with 1" margins, with no unnecessary formatting (i.e., do not include text boxes, macros, headers, footers, etc.). The Judge's signature shall be on the same page as some substantive content.
3. Brevard proposed Orders submitted via the e-Portal require "DJMCA" codes on proposed Orders. The DJMCA codes identify where to place electronic signatures, dates, and related information.
4. DDDD is the code used for the date the Order is signed by the Judge; JJJJ is the code for the Judge's signature. For the Certificate of Service, MMMM is the code for the mailing/service date; CCCC is the code for the service list, and AAAA is the code for the Judicial Assistant's signature.
5. The signature code (JJJJ and AAAA) must be on its own line. It can be left, center, or right justified. It cannot be "fully" justified. There can be no characters, spaces, or tabs before or after the signature code.

**D. All Orders must contain the following statement:**

It is further ADJUDGED that within five days from the date of eservice of this Order, the Petitioner shall:

- Furnish a copy of this Order to each self-represented party by U.S. Mail, first class, postage paid (or by email if the self-represented party has designated an email address); and
- File a certificate signed by Petitioner's counsel that delivery of this Order has been made as set forth herein.

**VIII. PROPOSED ORDERS WHEN COURT TAKES MATTER UNDER ADVISEMENT:**

If it is necessary to take an issue or matter under advisement, the Court will endeavor to self-impose a reasonable and prompt deadline by which it will issue its ruling. At the close of the hearing, the Court may give the movant(s) and nonmovant(s) specific instructions and deadlines for submitting proposed Orders to the Court via email. Competing Orders are not to be submitted through the e-Portal unless the parties are specifically directed to do so by the Court.

## IX. MOTION TO COMPEL OR MOTION FOR SANCTIONS FOR FAILURE TO PRODUCE DISCOVERY AND MOTION FOR PROTECTIVE ORDER:

To avoid recurring discovery problems and curtail perceived abuses in discovery and unnecessary delays, counsel will be required to comply not only with the technical provisions of the discovery rules, but also with the purpose and spirit of these rules.<sup>14</sup> Additionally, the parties are required to comply with the Court's Standing Discovery Order, *See Division B Standing Order on Discovery*.<sup>15</sup>

Whether conducting or responding to discovery, and in both oral and written practice, counsel must conduct themselves consistent with the standards of behavior codified in (1) the *Oath of Admission to The Florida Bar*; (2) *The Florida Bar Creed of Professionalism*; (3) *The Florida Bar Professionalism Expectations*; (4) *The Guidelines for Professional Conduct*;<sup>16</sup> (5) *The Florida Handbook on Civil Discovery Practice*;<sup>17</sup> (6) *The Rules Regulating The Florida Bar*; (7) the decisions of the Florida Supreme Court; (8) the applicable code of conduct; and (9) standing orders promulgated by the Eighteenth Judicial Circuit and Division D. At a minimum, Counsel should also familiarize themselves with the current "*Florida Handbook on Civil Discovery Practice*" as a quick reference for many recurring discovery problems and quickly access legal authority for various topics. This handbook can be found on the Court's website.<sup>18</sup>

All discovery motions and motions to compel must be set for hearing to bring the matter to the Court's attention. The mere filing of a motion is insufficient. Any motions filed but not set for hearing will be considered abandoned.<sup>19</sup> All such discovery motions must comply with the Florida Rules of Civil Procedure including, but not limited to, a Certification of Conferral. *See Fla. R. Civ. P.* 1.202(b) and this Court's policy "**Meet and Confer Requirement**" (*See Section III.L.) supra*.

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<sup>14</sup> *Bainter v. League of Women Voters of Fla.*, 150 So. 3d 1115, 1118 (Fla. 2014).

<sup>15</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #07,

<sup>16</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #03.1, 03.2, 03.3, All of which can be found in the "2022-2024 Florida Professionalism Handbook," Presented by The Florida Bar Standing Committee on Professionalism. A copy can be found on this Court's website – Policy Document #03.0

<sup>17</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #06.

<sup>18</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #06.

<sup>19</sup> See **Section III.A**, *supra*.

**X. COMPULSORY MEDICAL EXAMINATIONS (CME):**

*See Division B Guidelines Regarding Compulsory Medical Examinations* on the Court's website.<sup>20</sup>

**XI. DISCLOSURE OF PROTECTED HEALTH INFORMATION (HIPAA):**

*See Division B Standing Order on Disclosure of Protected Health Information* on the Court's website.<sup>21</sup>

**XII. GUIDELINES REGARDING PRIVILEGE LOGS AND IN CAMERA REVIEW PROCEDURES:**

*See Division B Guidelines Regarding Privilege Logs and Procedures for In Camera Review and Inspection of Documents, Materials, and Records* on the Court's website.<sup>22</sup>

**XIII. ELECTRONICALLY STORED INFORMATION DISCOVERY (ESI):**

*See Division B Standing Order on Electronically Stored Information Discovery* on the Court's website.<sup>23</sup>

**XIV. POST-ACCIDENT SURVEILLANCE VIDEO:**

It is well-established that upon receipt of a proper request to produce or interrogatories under Rule 1.280 of the Florida Rules of Civil Procedure, the existence of post-accident surveillance video ***must be disclosed*** whether or not it will be used at trial. *Dodson v. Percell*, 390 So.2d 704, 707-08; *see also Huet v. Trump*, 912 So.2d 336, 338 (Fla. 5<sup>th</sup> DCA 2005) and *Hunt v. Lightfoot*, 239 So.3d 175, 177-78 (Fla. 1<sup>st</sup> DCA 2018) (emphasis added).

<sup>20</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #09, Order on 1.360 Exam (w/o "Ex A" stamp) Policy Doc. #09.1

<sup>21</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #10, Order on HIPAA info (w/o "Ex A" stamp) Policy Doc. #10.1

<sup>22</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #08.

<sup>23</sup> See Division B website at <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #11, Stipulation on ESI (w/o "Ex. A" stamp) Policy Doc. #11.1

It is also well-established that although the *existence* of the surveillance must be disclosed upon request whether or not it will be used at trial, the *content* of the surveillance is discoverable only if it will be used at trial for substantive, corroborative, or impeachment purposes. Thus, the contents of post-accident surveillance video not intended to be presented at trial are considered attorney work product and subject to protection, not discoverable unless a showing of extraordinary circumstances can be made. *See Dodson*, 390 So.2d at 707-08; *Huet*, 912 So.2d at 340-41; and *Hunt*, 239 So.3d at 177-78.

The type of post-accident surveillance video at issue in *Dodson* of a purportedly injured plaintiff taken after the accident occurred characterized by the Florida Supreme Court as work product should be distinguished from a static, permanent store security surveillance video of the accident itself which is generally considered non-work product, discoverable under the Rules of Civil Procedure, which are designed to “prevent the use of surprise, trickery, bluff and legal gymnastics.” *Target Corporation v. Vogel*, 41 So.3d 962, 963 (Fla. 4<sup>th</sup> DCA 2010) *quoting Surf Drugs v. Vermette*, 236 So.2d 108, 111 (Fla. 1970).

The Florida Supreme Court in *Dodson* held that judges have discretion to order the depositions of parties to be conducted before requiring production of post-accident surveillance video that is going to be used at trial. *Dodson*, 390 So.2d at 708. Post-*Dodson*, a bright line rule has been established that such surveillance video need not be produced until the surveilling party has had the opportunity to depose the subject of the video. *Hankerson v. Wiley*, 154 So.3d 511 (Fla. 4<sup>th</sup> DCA 2015).

Generally, post-accident surveillance video that is going to be used at trial is subject to discovery and may not be used as a last-minute surprise at trial. Therefore, late or surprise disclosures of such surveillance videos are discouraged and disfavored as such tactics frequently lead to, at best, otherwise unnecessary and inefficient extensions of the Court’s existing pretrial deadlines or at worst trial continuances resulting in the Court failing to manage a case to its presumptively reasonable time period for the completion of cases in the trial courts of this state. *See* Rules 2.250 and 2.545, *Fla. R. Gen. Prac. & Jud. Admin.* In order to permit adequate time to incorporate the disclosure of such surveillance videos into the natural flow of the fact and expert discovery proceedings and other pretrial deadlines in the Court’s **Case Management Order** the surveilling party must disclose such post-accident surveillance videos, together with a written disclosure filed with the Court containing the names and business addresses of each person (i.e., videographer, private investigator) involved in conducting the surveillance and obtaining the surveillance videos together with a brief description of the nature of their involvement, and produce such unedited surveillance video to opposing counsel, or the opposing party if *pro se*, **no later than NINETY (90) DAYS** prior to the Pretrial Conference.

## **XV. PROCEDURES FOR SCHEDULING F.S. 90.702 (“DAUBERT”) TYPE HEARINGS:**

*See Procedures for Scheduling F.S. 90.702 (“Daubert”) Type Hearings in Division B* on the Court’s website.<sup>24</sup>

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<sup>24</sup> *See* Division B website <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #12.

## **XVI. PROCEDURES FOR PLEADING, SCHEDULING, AND HEARING SUMMARY JUDGMENT MOTIONS (MSJ):**

*See Division B Procedures for Pleading, Scheduling, and Hearing Non-Default Summary Judgment Motions* on the Court's website.<sup>25</sup>

## **XVII. MOTIONS IN LIMINE (MIL):**

A. MIL may not be scheduled for a hearing unless counsel have complied with the "Meet and Confer Requirement" (See **Section III.L. supra**), and such MIL must contain a certification of a good faith attempt as to each item to resolve the matter without court action in the form of a *Certificate of Compliance* (attached hereto as "**Exhibit A**") that the conference has occurred in the Notice of Hearing<sup>26</sup> filed with the Court. (*Notices of hearing on MIL must identify the specific issues which remain in controversy after counsel have met and conferred.*) MIL will not be heard during the trial, except for extreme circumstances.

B. All case-specific<sup>27</sup> MIL shall be filed, served, noticed, and heard or agreed to by the parties no later than the deadline set forth in the Court's **Case Management Order** or the order setting case for jury trial.

C. The MIL shall state with particularity the grounds upon which it is based and the substantial matters of law to be argued and shall identify any evidence or supporting material on which the movant relies. Opposing counsel shall have five (5) business days to file a written response if they wish. Courtesy copies of such MIL, Notices of Hearing, written response(s), hearing notebooks, legal memorandums and citations are governed by (**Section III. H., I., L., and M. supra**.)

D. The Court may summarily rule on any MIL not written with particularity as described above.<sup>28</sup> Any MIL not timely filed and/or not discussed by counsel at the meet and confer and (if unresolved) not set for hearing before trial will be considered abandoned.

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<sup>25</sup> See Division B website <https://flcourts18.org/kristen-smith-rodriguez-policies-page/>, Policy Document #13.

<sup>26</sup> In compliance with **Section III.L.&M., supra**.

<sup>27</sup> "Omnibus" and "boilerplate" motions in limine are discouraged. *Boyles v. A&G Concrete Pools, Inc.*, 149 So.3d 39, 43-44 (Fla. 4<sup>th</sup> DCA 2014) ("Motions in Limine can serve an important function in streamlining a trial. The excessive use of them, however, can clog the docket and become a trap. Boilerplate motions in limine filed early in a case have dramatically increased since the amendment of section 90.104, Florida Statutes in 2003. This amendment modified the rule requiring a contemporaneous objection to preserve an objection to the admission of evidence on appeal.... Civil litigants now attempt to obtain blanket rulings well in advance of trial on every conceivable reason to object to evidence at trial, whether or not those matters apply to the facts of the case. Therefore, when the trial is held later, litigants believe that they do not have to object at all, and appellate issues will still be preserved. Trial judges may be put in the position of having to sua sponte strike evidence or hazard an appellate reversal with the requirement of a new trial.... Trial judges do not have to consider such motions well in advance of trial. Many times, they should not rule in advance. Evidentiary issues often depend on the context in which they are raised or the other evidence which is admitted or developed through discovery. Where evidence excluded by a prior order in limine is admitted inadvertently, simply because it was not pointed out to the trial court that the evidence violated the order, this provides an appealable issue and an opportunity for a new trial, even though the error could have been easily corrected had it been pointed out by the parties. To prevent that from occurring in this case, the trial judge astutely required the parties to object to any evidence sought to be excluded. Because the Plaintiff did not object, this issue was not preserved for appeal.").

<sup>28</sup> See **Section III.J., supra**



E. The party filing the MIL will prepare the proposed order<sup>29</sup> on any contested hearing reflecting the Court's rulings(s). All counsel are reminded that rulings on MIL are non-final orders subject to modification during trial as evidence is presented. *Therefore, the parties are notified that despite the Court's ruling on a MIL, the parties are still required to make a contemporaneous objection should the excluded matter be offered at trial. Likewise, a party seeking to offer at trial a matter that was previously excluded (or allowed) by the court, that party is required to bring such matter to the court's attention at sidebar before such matter is attempted to be offered.*

## **XVIII. CLOSING ARGUMENTS:**

*See Standing Order Regarding Closing Arguments* on the Court's website.<sup>30</sup>

## **XIX. EMERGENCY MOTION/MOTION FOR REHEARING/MOTION FOR NEW TRIAL:**

The Motion should first be e-filed with the Clerk of Court. Once docketed by the Clerk, the movant must provide the Court a courtesy copy of the Motion by email. If any party requests a hearing set on the Motion, that party should contact the Court consistent with the instructions above (*See Section IV supra*). The request for hearing may or may not be granted.

## **XX. ATTORNEY'S FEES AND COSTS:**

If entitlement has not been found, a hearing on entitlement must be set first. If entitlement has previously been found or if entitlement is not being contested, counsel seeking attorney's fees and costs shall prepare the Order finding entitlement incorporating by reference **Division B's Procedures on Motion to Tax Costs and Award Attorney's Fees** found on the Court's website.<sup>31</sup> The parties shall comply with said procedures prior to the Court holding an evidentiary hearing on reasonableness.

## **XXI. PROCEDURES FOR SETTLEMENT OR DISMISSAL OF CASES:**

If a case settles or is voluntarily dismissed and there are future hearings, or a trial scheduled on the Court's docket, please provide the Court's Judicial Assistant with a courtesy copy of an e- filed Notice of Settlement or Dismissal immediately by email to allow the Court to free up hearing/trial time for other cases. Counsel shall also notify the Court of any pending hearings that will be canceled as a result of the settlement. Parties are directed to file appropriate dismissal papers including the Final Disposition Form (*see* Form 1.998) as required by the Florida Rules of Civil Procedure (Rule 1.545). In the event of settlement, the parties shall immediately file a Notice of Settlement. The parties shall immediately meet and confer to prepare an ***Agreed Case Management Order Regarding Settlement*** (template found on the Court's website in Word format)<sup>32</sup> to be submitted to the Court detailing the anticipated timeline for final disposition of the action pursuant to Rule 1.545 Fla. R. Civ. P. Additionally, the parties shall submit a stipulation for an order of dismissal or shall file a dismissal with prejudice. A copy of the mediation report is insufficient to remove the case from the Court's hearing calendar or trial docket.

<sup>29</sup> In compliance with **Section VII. *Supra***.

<sup>30</sup> See Division B website at <https://flcourts18.org/judge-smith-rodriguez-policies-page/>, Policy Document #17.

<sup>31</sup> See Division B website at <https://flcourts18.org/judge-smith-rodriguez-policies-page/>, Policy Document #16.

<sup>32</sup> See Division B website at <https://flcourts18.org/judge-smith-rodriguez-policies-page/>, Policy Document #14.

## **XXII. MINOR'S SETTLEMENT:**

See *Guidelines Regarding Approval of Minor's Settlement* on the Court's website.<sup>33</sup>

## **XXIII. JURY TRIAL DEADLINES:**

The parties will be required to comply with the deadlines and cutoff dates contained in the Court's *Case Management Order, and Order Setting: Jury Trial, Pre-Trial Conference and Directing Pre-trial Compliance*.

## **XXIV. NON-JURY TRIAL DEADLINES:**

The parties will be required to comply with the deadlines and cutoff dates contained in the Court's *Case Management Order, and Order Setting: Non-Jury Trial, Pre-Trial Conference and Directing Pre-trial Compliance*.

## **XXV. WITHDRAWAL/SUBSTITUTION OF COUNSEL:**

All Motions to Withdraw or Substitute Counsel must set forth reasons for withdrawal (or substitution). If the Court record contains the client's written consent to the withdrawal or substitution, a proposed Order<sup>34</sup> granting the Motion and stating that, "the Court notes that the client's consent in the record," can be submitted for entry without a hearing, unless objected to by the nonmovant. Otherwise, the Motion must be set for hearing, with proper notice to the client, in accordance with the Court's procedures<sup>35</sup> and Fla. R. Gen. Prac. & Jud. Admin. 2.505(f)(1), and all parties/attorneys.

If the motion to withdraw is granted, the attorney moving to withdraw shall prepare a written proposed order<sup>36</sup> setting forth the client's last known address, telephone number, email address and that the withdrawal will be effective upon the filing of the attorney's certification that a copy of the order was served on the client. The Order shall also include the next hearing/trial date if known.

In addition, the order should provide the client a reasonable time period to retain an attorney, or alternatively the Court will presume the client will proceed *pro se* as a self-represented party. If the client is a corporation or other entity, the order should also contain a provision putting the client who is a business entity, trustee or a trust, personal representative of an estate, or otherwise named in a representative capacity, not an individual person, on notice that it cannot represent itself *pro se* through its owners, officers, directors, managers, or other representatives in Circuit Court, and if it fails to obtain counsel within the specified time frame, the Court will not recognize any papers filed or requests made on behalf of the entity if not filed or made by an attorney.

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<sup>33</sup>See Division B website <https://flcourts18.org/kristen-smith-rodriquez-policies-page/>, Policy Document #15.

<sup>34</sup>In compliance with **Section VII. *supra***

<sup>35</sup>In compliance with **Section VII. *supra***

<sup>36</sup>In compliance with **Section VII. *supra***

**XXVI. *EX PARTE* PERSONAL COMMUNICATIONS/CORRESPONDENCE:**

The Court **CANNOT** and **WILL NOT** engage in nor accept any ex parte personal communications or correspondence on a case. If you have a matter to bring to the Court's attention, please file the proper motion with the Clerk of Court and copy all parties and/or counsel in the case with said motion.

*REMAINDER OF PAGE LEFT BLANK*

**“Exhibit A”**

**A.     *First Option***

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the undersigned, or (name of lawyer) \_\_\_\_\_, a lawyer in my firm with full authority to resolve this matter had a substantive conversation in person or by telephone with opposing counsel, (name of lawyer) \_\_\_\_\_, on (date) \_\_\_\_\_, in a good faith effort to resolve this motion before the motion was noticed for hearing, but the parties were unable to reach an agreement.

/S/ \_\_\_\_\_

Counsel for the party who noticed  
the matter for hearing.

**B.     *Second Option***

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that the undersigned, or (name of lawyer) \_\_\_\_\_ a lawyer in my firm with full authority to resolve this matter attempted in good faith to contact opposing counsel in person or by telephone on:

1.   (Date)   at \_\_\_\_\_   (Time)   ;

2.   (Date)   at \_\_\_\_\_   (Time)   ; and

3.   (Date)   at \_\_\_\_\_   (Time)   ;

to discuss resolution of this motion without a hearing, and the lawyer in my firm was unable to speak with opposing counsel.

/S/ \_\_\_\_\_

Counsel for the party who noticed  
the matter for hearing.

**C.     *Third Option***

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that conferral on this Motion is not required under R. Civ. P. 1.202.

/S/ \_\_\_\_\_

Counsel for the party who noticed  
the matter for hearing.

**“Exhibit B”**  
**A. Remote Hearing:**

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA  
CASE NUMBER 05-20 \_\_\_\_\_-CA-\_\_\_\_\_

IN RE:

\_\_\_\_\_  
Plaintiff

and

\_\_\_\_\_  
Defendant

**NOTICE OF VIRTUAL HEARING**

TO: \_\_\_\_\_ (*name of other party*)

**PLEASE TAKE NOTICE: A Virtual / Remote hearing has been scheduled in your case:**

JUDGE: Honorable Kristen Smith-Rodriguez

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_ A.M. / P.M. (*circle one*)

TIME RESERVED: \_\_\_\_\_ Minutes / Hour(s) (*circle one*)

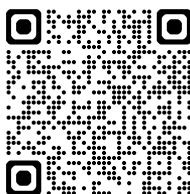
MOTION(S) TO BE HEARD:

Docket # \_\_\_\_\_ Date Filed: \_\_\_\_\_ Motion: \_\_\_\_\_

Docket # \_\_\_\_\_ Date Filed: \_\_\_\_\_ Motion: \_\_\_\_\_

**LOCATION: Virtual Courtroom through Microsoft Teams. Clicking the link should take you directly to the Virtual Courtroom. Scanning the QR Code or typing the link into the browser may require you to download Microsoft Teams.**

<https://fl18.org/judgesmithrodriguez>



If you need assistance, please call the Judge's assistant, Karen Flash at 321-264-6777.

**EXHIBITS:** For Virtual / Remote hearings, a printed copy of all exhibits must be delivered to the Judge's office at Titusville Historic Courthouse, 506 S. Palm Avenue, Titusville, FL 32796, at least 2 business days before the hearing.

**PLEASE GOVERN YOURSELF ACCORDINGLY.** This includes having a stable internet connection, remaining in one location and not driving or walking, and dressing appropriately for court. Your video appearance is required.

### **CERTIFICATE OF SERVICE**

I certify a copy of this Notice of Virtual Hearing was sent by ☐ e-mail ☐ mail to the person listed below on \_\_\_\_\_ (date).

**Other party or his/her attorney:**

Name: \_\_\_\_\_

Address or Designated Email:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Signature of Party or Attorney**

Printed Name: \_\_\_\_\_

Address or Designated Email:

\_\_\_\_\_  
\_\_\_\_\_

**ATTN: PERSONS WITH DISABILITIES.** 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 Court Administration at the Moore Justice Center, 2825 Judge Fran Jamieson Way, 3rd Floor, Viera, FL 32940-8006, (321) 633-2171 ext. 3, within two working days of your receipt of this notice. If you are hearing or voice impaired call 1-800-955-8771.

**“Exhibit B”**  
**B. In-Person Hearing:**

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA  
CASE NUMBER 05-20 \_\_\_\_\_-CA-\_\_\_\_\_

IN RE:

\_\_\_\_\_  
Plaintiff

and

\_\_\_\_\_  
Defendant

**NOTICE OF IN PERSON HEARING**

TO: \_\_\_\_\_ (*name of other party*)

**PLEASE TAKE NOTICE: A hearing has been scheduled in your case:**

JUDGE: Honorable Kristen Smith-Rodriguez

DATE: \_\_\_\_\_

TIME: \_\_\_\_\_ A.M. / P.M. (*circle one*)

TIME RESERVED: \_\_\_\_\_ Minutes / Hour(s) (*circle one*)

MOTION(S) TO BE HEARD:

Docket # \_\_\_\_\_ Date Filed: \_\_\_\_\_ Motion: \_\_\_\_\_

Docket # \_\_\_\_\_ Date Filed: \_\_\_\_\_ Motion: \_\_\_\_\_

LOCATION: Titusville Historic Courthouse, 506 S. Palm Avenue, Titusville, FL 32796 Chambers or Courtroom 2.

[CERTIFICATE OF SERVICE]

[ATTORNEY SIGNATURE BLOCK]

**ATTN: PERSONS WITH DISABILITIES.** 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 Court Administration at the Moore Justice Center, 2825 Judge Fran Jamieson Way, 3rd Floor, Viera, FL 32940-8006, (321) 633-2171 ext. 3, within two working days of your receipt of this notice. If you are hearing or voice impaired call 1-800-955-8771.

**Exhibit "C"**

IN THE CIRCUIT COURT OF THE EIGHTEENTH  
JUDICIAL CIRCUIT IN AND FOR BREVARD  
COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff(s),

Case No. \_\_\_\_\_

v.

\_\_\_\_\_  
Defendant(s).  
\_\_\_\_\_ /

**NOTICE OF REQUEST FOR COURT TO CONSIDER MOTION BASED ON WRITTEN SUBMISSIONS  
WITHOUT HEARING**

The undersigned submits this Notice requesting that the Court consider  
[Plaintiff's/Defendant's] non-evidentiary Motion, entitled \_\_\_\_\_, and  
filed on [date] [Doc. #\_\_\_], in the above-styled case, based only on the written  
submissions and without hearing.

The opposing party shall have fifteen (15) days after being served to file their argument and  
legal memorandum with citations of authority in opposition to the relief requested, including an  
election to request hearing.

On [date 16 days after serving this notice], the Court may rule on the Motion at any time  
thereafter without further notice or hearing.

**CERTIFICATE OF SERVICE**

I certify that a copy hereof has been furnished to \_\_\_\_\_  
[insert name(s) and address(es) used for service] by [e-mail] [delivery] [mail] [fax] on  
[date].

DATED: \_\_\_\_\_

\_\_\_\_\_  
(Requestor or Attorney Signature)

Name:

Address:

Direct telephone number: Fax  
number:

E-mail address: Florida

Bar No.:



**Exhibit “D”**

Honorable Judge  
[ADDRESS] [CITY], FL  
[ZIP]

[DATE]

RE: [CASE] and [Case Number]

Your Honor:

On [date], the undersigned filed with the Clerk of the Circuit Court and sent to opposing [party/counsel] a copy of [Plaintiff’s/ Defendant’s] non-evidentiary motion, entitled [name of motion] [Doc. #\_\_] in the above-referenced matter, along with [additional materials sent to opposing party/counsel].

[Opposing [party/counsel] filed the attached response to the non-evidentiary motion, and did/did not request a hearing within 15 days of service of the Notice of Request for Court to Consider Ruling Based on Written Submissions Without Hearing.]

[OR]

[Opposing [party/counsel] has not filed a response to the non-evidentiary motion.]

The Motion was filed in good faith and served on opposing [party/counsel]. The [Plaintiff/Defendant] alleges that they have made an effort to resolve the issues.

Pursuant to the Court’s procedures, the Court may rule on a non- evidentiary Motion at any time without further notice or hearing as of [date the motion is ripe for decision].

Today’s date is [date at least 16 days after date of filing and service on opposing party/counsel]. The Plaintiff/Defendant requests that this Court rule on the above-referenced non- evidentiary motion based on the written submissions.

The undersigned has enclosed a Proposed Order on [Plaintiff’s/ Defendant’s] non-evidentiary motion.

Sincerely,

DATED: \_\_\_\_\_

Copies Furnished to:  
(all parties)

\_\_\_\_\_  
(Party/Attorney Signature)  
Party/Attorney Name  
Address  
Direct Telephone Number E-  
mail address  
Florida Bar No., if applicable

**“Exhibit “E”**

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY, FLORIDA

Plaintiff(s),

Case No. \_\_\_\_\_

v.

\_\_\_\_\_  
Defendant(s).  
\_\_\_\_\_ /

ORDER ON [TITLE OF MOTION]

**THIS CAUSE** came before the Court upon [Plaintiff’s/Defendant’s] non-evidentiary Motion, entitled [Title of Motion], and filed on [Date] [Doc. #\_\_], in the above- styled case. Having reviewed the record, the applicable law, and being fully advised in the premises, the Court considered the written submissions relating to this document without hearing, including [check all applicable]:

\_\_\_\_\_ Moving Party’s [Plaintiff’s/Defendant’s] non-evidentiary Motion

\_\_\_\_\_ Opposing Party/Counsel’s Response

\_\_\_\_\_ Opposing Party/Counsel Request for Hearing

\_\_\_\_\_ Other: \_\_\_\_\_

After review, it is **ORDERED AND ADJUDGED** that the Motion is:

\_\_\_\_\_ Granted

\_\_\_\_\_ Denied

\_\_\_\_\_ To Be Set for Hearing

Comments: \_\_\_\_\_  
\_\_\_\_\_

It is further ADJUDGED that within five days from the date of eservice of this Order, the [Plaintiff/Defendant] shall:

Furnish a copy of this Order to each self-represented party by U.S. Mail, first class, postage paid (or by email if the self-represented party designated an email address); and

File a certificate signed by [Plaintiff’s/Defendant’s] counsel that delivery of this Order has been made as set forth herein.

**DONE AND ORDERED** in Chambers, at Viera, Brevard County, Florida, this DDDD.

JJJJ

I HEREBY CERTIFY that a true copy of the foregoing was served via U.S. mail first class, postage prepaid, or via the e-Filing Portal on MMMM to the following:  
CCCC

AAAA

**“Exhibit F”**

IN THE CIRCUIT COURT OF THE EIGHTEENTH  
JUDICIAL CIRCUIT, IN AND FOR BREVARD  
COUNTY, FLORIDA

Case No.: 05-20\_\_-CA-\_\_\_\_\_

\_\_\_\_\_,  
Plaintiff,

v.

\_\_\_\_\_,  
Defendant.  
\_\_\_\_\_ /

**ORDER [GRANTING/DENYING] [TITLE OF MOTION]**

THIS CAUSE having come before the Court on [date of hearing], for hearing of [Plaintiff's/Defendant's] [Title of Motion] filed on [date] [Doc. #\_\_]. Present at the hearing were [Designation of Party and Attorney]. The Court having reviewed the file and heard argument of counsel and being otherwise fully advised in the premises, the Court finds as follows:

[Text of Findings]

WHEREFORE, it is hereby ORDERED and ADJUDGED:

[Text of Ruling]

It is further ADJUDGED that within five days from the date of eservice of this Order, the [Plaintiff/Defendant] shall:

Furnish a copy of this Order to each self-represented party by U.S. Mail, first class, postage paid (or by email if the self-represented party designated an email address); and

File a certificate signed by [Plaintiff's/Defendant's] counsel that delivery of this Order has been made as set forth herein.

DONE AND ORDERED at Viera, Brevard County, Florida, this DDDD.

JJJJ

I HEREBY CERTIFY that a true copy of the foregoing was served by U.S. mail or via filing with the Florida Courts e-Filing Portal on MMMM to the following:

CCCC

AAAA

**Exhibit "G"**

IN THE CIRCUIT COURT OF THE EIGHTEENTH  
JUDICIAL CIRCUIT, IN AND FOR BREVARD  
COUNTY, FLORIDA

\_\_\_\_\_

CASE NO.: 05-20\_\_-CA-\_\_\_\_\_

Plaintiff,

v.

\_\_\_\_\_

Defendants.

\_\_\_\_\_ /

**AGREED ORDER ON [TITLE OF MOTION]**

THIS CAUSE having come before the Court by agreement of the parties upon the [Plaintiff's/Defendant's] [Title of Motion] filed on [date] [Doc. #\_\_], the Court having reviewed the file and being otherwise duly advised in the premises, it is hereby ORDERED AND ADJUDGED as follows:

[Text of Order]

It is further ADJUDGED that within five days from the date of eservice of this Order, [Plaintiff/Defendant] shall:

Furnish a copy of this Order to each self-represented party by U.S. Mail, first class, postage paid (or by email if the self-represented party designated an email address); and

File a certificate signed by [Plaintiff's/Defendant's] counsel that delivery of this Order has been made as set forth herein.

DONE AND ORDERED at Viera, Brevard County, Florida, this DDDD.

JJJJ

I HEREBY CERTIFY that a true copy of the foregoing was served by U.S. mail or via filing with the Florida Courts e-Filing Portal on MMMM to the following:

CCCC

AAAA