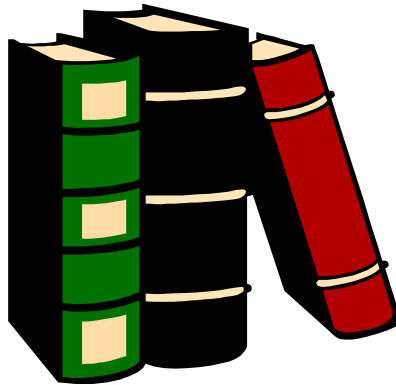


# EIGHTEENTH JUDICIAL CIRCUIT SEMINOLE COUNTY



CIVIL/FAMILY DIVISION G

## ADMINISTRATIVE POLICIES AND PROCEDURES GUIDELINES

JUDGE MICHAEL J. RUDISILL

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## SCHEDULING A HEARING

### 1. SCHEDULING:

**\*\*Please review the Court's policy regarding mandatory meet and confer before scheduling your hearing. (see page 11 and 12)\*\***

All hearings (except for residential mortgage foreclosure cases) may be scheduled on JACS. To schedule a residential mortgage foreclosure please email [DivisionSCM@flcourts.org](mailto:DivisionSCM@flcourts.org). Please do not file a motion and order to appear telephonically. Virtual appearance is not permitted.

All other hearings will proceed remotely through Microsoft Teams or in-person. Until further notice short matters/ex-parte hearings are held during regular 15-minute hearing time slots located on JACS or contact the JA to see if the matter can be addressed without the necessity of a hearing. **To schedule more than 15-minutes, you must schedule multiple hearings back-to-back to obtain that hearing time.** Evidentiary hearings **MUST** be scheduled on an in-person hearing day.

All parties are required to give a good-faith assessment of the time needed for the hearing. If other parties are waiting for their hearing, and your case goes over the time limit, your hearing will be terminated and rescheduled for a subsequent hearing. 15-, 30-, or 60-minute hearing times are to be retrieved and scheduled online by using JACS.

To use JACS, go to [www.flcourts18.org](http://www.flcourts18.org), Calendaring and JACS on the left hand side of the page, under the Seminole County column click on "Docket Calendar Attorney Scheduling". If you need a hearing for more than 1 hour your motion will have to be placed on the trial docket. To be placed on the trial docket you need to contact the Trial Coordinator at , [DivisionGCM@flcourts18.org](mailto:DivisionGCM@flcourts18.org).

**The Notice of Hearing MUST be filed at least 48 hours after setting the hearing on JACS. If the Notice of Hearing is not filed within 48 hours, the hearing will be canceled, and the parties must reschedule through JACS.**

### **Coordinating:**

Reasonable attempts need to be made to clear a date with opposing counsel before scheduling on JACS. Do not contact the JA to determine what a reasonable attempt is or how much time is reasonable. That must be determined by the attorney.

### **Pro se parties only:**

If the opposing party is pro se and a telephone number is listed on any of their pleadings, you must make two (2) attempts on two (2) different days. A message needs to be left on both days requesting them to call your office by the end of that business day to coordinate the hearing. If at the end of the second business day you do not receive a call back, then you may set a hearing unilaterally online at least fourteen (14) days from the current date.

If an email address is listed on any of their pleadings, you must email the opposing party to attempt to coordinate a date. If no attempt has been made after one (1) week to contact, you back to coordinate you may set a hearing unilaterally online at least fourteen (14) days from the current date. If no phone number or email is listed in the court file, then a hearing cannot be scheduled sooner than one month.

Once your hearing is set on JACS you will receive a confirmation number. Please do not send a copy of the Notice of Hearing to the Judge, just e-file the original notice.

### **Motions:**

If you do not see the subject of your motion that you are trying to set for hearing listed in the drop-down box when scheduling a hearing on JACS, select any motion and place the title of the motion in the "Additional Motions" section on JACS. JACS will only allow you to select one motion in the drop-down box. If you have more than one motion that you wish to address on that date, then the other motions need to be listed in the box that says, "Additional Motions to be Addressed." Please do not send a copy of the motion to the Judge, just e-file the original.

## Courtroom:

Judge Michael J. Rudisill holds hearings in courtroom G. Select Role of Scheduling Attorney: If you get a prompt while trying to schedule your hearing that you need to select a role of the scheduling attorney you need to logout of JACS and log back in and attempt to schedule the hearing again. After you select the date for your hearing there will be an option right above where you input your case number for you to select whether your attorney represents the Plaintiff or Defendant.

## 2. HEARINGS:

Starting June 1, 2021, hearings evidentiary in nature will be conducted in-person. Please refer to JACS for in-person hearing dates. If you schedule an evidentiary hearing on a reserved time for non-evidentiary, it will be cancelled.

### IN-PERSON HEARINGS:

**In-person hearing times listed on JACS should be utilized for hearings evidentiary in nature.** Please provide written hearing materials to the Court at least one week before the hearing. Relevant portions of case law submitted to the Court must be highlighted. Please do not email hearing materials to the Court.

### REMOTE HEARINGS:

The notice of hearing must state that the hearing is being conducted remotely through Microsoft Teams and not at the courthouse. **If your notice of hearing reflects that the hearing is at the courthouse your hearing will be cancelled.** Please provide written hearing materials to the Court at least one week before the hearing. Relevant portions of case law submitted to the Court must be highlighted. **Please do not email hearing materials to the Court.**

**Parties are not permitted to appear by phone number unless it is an emergency. All parties must appear virtually.**

The attorney/party needs to stand by for at least 1 hour from the scheduled hearing time. More than one hearing may be scheduled on the docket for the set time, so your hearing may take time before it is addressed. Your hearing may not necessarily be heard according to its place on the judge's docket. Please make sure to click on the camera icon and/or microphone icon to

ensure you are seen and heard by the Judge. It is all parties' responsibility to make sure the equipment used is operating appropriately. The parties should sign into the meeting by clicking "JOIN TEAMS MEETING".

**Starting, May 1, 2022**, we will be implementing a new way for participants to appear for remote hearings before Judge Michael Rudisill. We will now have one link to access the courtroom for any remote hearing before the Judge. In this courtroom, you will use the same link to appear before the Judge via TEAMS at the designated time that your case is noticed for hearing.

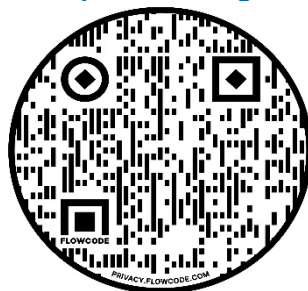
Once you type the link into your browser, you will enter the virtual lobby, and be let in once the Judge is ready for your hearing. **Please be patient, as we have multiple cases set.**

I have included the link and QR code below so that you can include this in your Notice of Hearing. **We will no longer send out an invite, nor will you need to add the names and emails of the necessary participants to the NOH. IF you have already filed a NOH, you will need to file an Amended NOH, again, invites will not be sent out.**

We anticipate this will make it much easier for everyone and minimize the emails/tracking of links to have for each hearing.

Judge Michael Rudisill's Virtual Courtroom access is:

<https://fl18.org/d>



**NOTE: Teams works best if you download the free application.** The dedicated link listed above leads to a "waiting room" where you are to remain until the Court "lets you in".

For emergency purposes only, if you cannot connect, the backup telephone line is +1 386-310-1754 United States, Daytona Beach (Toll) Conference ID: 350-346-280# If you appear via telephone, this may delay your hearing.

### 3. CONTINUANCES:

If a continuance of a hearing is requested by a party who did not set the hearing and the party who scheduled the hearing will not reschedule, then a motion for continuance may be presented to the Court. The attorney who scheduled the hearing needs to go on JACS (see page 2, under Scheduling) click "Display a list of available hearing dates" under the main menu. Clear a new date with the opposing side. When you're ready to reschedule go on JACS and click "To Re-Schedule a Hearing" under the Main Menu. Type in your confirmation # and hit "Reschedule". Click the new coordinated date and the hearing will be rescheduled and you will receive a new confirmation number for your records. An amended notice of hearing needs to be prepared and attach a copy of the confirmation page to your copy of the notice of hearing for your file. Please do not send a copy of the amended notice of hearing to the Judge, just e-file the original.

### 4. CANCELLING:

Only the party who scheduled the hearing can cancel the hearing. The attorney who scheduled the hearing needs to go on JACS and click "To cancel a Hearing" under the main menu. Enter your confirmation number and click "Cancel Hearing". You must follow up with the filing of a Notice of Cancellation in the court file. Attach a copy of the confirmation page to your Notice of Cancellation for your file. Please send a copy of the Notice of Cancellation to the Judge. Cases will not be able to cancel the hearing if the hearing is within 7 days. The parties must contact the JA to cancel at [Alyssa.Bashista@flcourts18.org](mailto:Alyssa.Bashista@flcourts18.org).

**IF A HEARING IS CONTINUED OR CANCELLED, IT IS THE RESPONSIBILITY OF THE SCHEDULING ATTORNEY TO ADVISE THE JUDICIAL ASSISTANT THAT THE SCHEDULED HEARING IS CONTINUED OR CANCELLED, TO ENSURE IT HAS BEEN REMOVED FROM THE COURT'S CALENDAR.**

## 5. CROSS NOTICING/PIGGY BACKING:

If you wish to add a motion to a previously set hearing date, you must contact the party who set the hearing and obtain permission to share their time. Same idea applies if you want to add a motion to a hearing "you" set. You must call the JA to add the additional motions and no more time will be given unless available. Please make sure that Amended Notices and/or Cross Notice of Hearings are filed with the clerk to keep the file updated. Please do not send a copy of your Amended Notice or Cross Notice of Hearing to the Judge.

## 6. NOTICE OF HEARING:

A notice of hearing must specifically state the matter(s) to be heard. A notice of hearing those states "All Pending Motions" is a nullity. Any party scheduling a hearing must provide notice to the other parties even if defaulted by the court. If a Guardian Ad Litem appointed in the case is not given notice of the hearing, the hearing may be subject to cancellation by the Court pending proper notice to the Guardian Ad Litem. Please do not send a copy of your Notice of Hearing to the Judge, just e-file the original. **The Notice of Hearing MUST be filed at least 48 hours after setting the hearing on JACS. If the Notice of Hearing is not filed within 48 hours, the hearing will be canceled, and the parties must reschedule through JACS.** The Notice of Hearing must specify the attorney and/or parties each by name who is appearing and the email address of **each** individual in the body of the Notice of Hearing. The Notice of Hearing **MUST** include the correct information, or the hearing may be canceled.

## 7. MATTERS NOT REQUIRING A HEARING:

The following matters do not require a hearing and may be submitted with a cover letter, through the e-portal stating that opposing counsel has reviewed the proposed order or stipulation and does not object to the court entering the relief requested.

- Appointment of Special Process Server
- Appointment of Special Magistrate to hear UCD
- Stipulated Modifications
- Stipulated Orders
- Motion for Substitution of Counsel *(Signed by Attorney and Party)*

- Motion to Enter an Agreed Order
- Cancellation and rescheduling a foreclosure sale
- Motion to Vacate Foreclosure Judgment because of reinstatement
- Default judgment of liquidated amounts
- Motions to Withdraw *(if a consent cannot be obtained, a copy of the proposed order is to be sent simultaneously to the pro se party and to the court with a cover letter stating that the pro se party/opposing counsel must voice any objections in writing to the court within 5 days. )*
- Uncontested Final Judgment for Dissolution of Marriage *(with answer and waiver filed by respondent)*

## **8. EMERGENCY HEARINGS:**

If you feel that your motion is an emergency (an example of an emergency issue is a child "seriously" endangered) please file your emergency motion with the clerk and contact the JA at [Alyssa.Bashista@flcourts18.org](mailto:Alyssa.Bashista@flcourts18.org). You may also send a copy to the JA via e-mail. Once the emergency motion is reviewed by the Court, the JA will contact you to set the motion for hearing if deemed an emergency.

## **8. SHORT MATTERS/EX PARTE:**

Until further notice short matters/ex-parte hearings are held during regular 15-minute hearing time slots located on JACS.

## **9. TEMPORARY RELIEF FOR FAMILY CASES:**

Motions for Temporary Relief are scheduled before and conducted by the General Magistrate's office, (407) 665-4050. If you do not wish to have the GM hear the motion, then an objection must be filed in writing. Before the hearing can be scheduled before the Judge, mediation must have occurred regarding the temporary issues. Temporary Relief hearings before the Judge will be limited to 30 minutes.

## **10. RULE TO SHOW CAUSE:**

A verified Petition for Rule to Show Cause or a Petition for Order to Show Cause, with accompanying Affidavit, can be forwarded by letter to the court. If the Petition is granted at Ex Parte, the attorney may obtain a date for the Order to Show Cause on JACS. If the Petition is granted and has been sent to the court,



the judicial assistant will contact your office to let you know you may schedule on JACS.

## **11. UNCONTESTED DISSOLUTIONS OF MARRIAGE:**

Uncontested Dissolutions of Marriage can either be heard on the short matter calendar or sent through the e-portal. The cover letter needs to specify that all parties, pro se or opposing counsel, have reviewed the Final Judgment and have no objection. Also, if there are children involved, the Final Judgment needs to incorporate specifics on child support (i.e. how much, how it is to be paid, & how often). If both parties are pro se then they must fill out Form A located on the 18th circuit website under Self Help Center (Seminole County Self Center) and file it with the Clerk of Court.

Prior to submitting the proposed Final Judgment in an uncontested matter, check the Court's docket to ascertain that the following has been filed:

- Financial Affidavit for Husband
- Financial Affidavit for Wife
- A copy of Petitioner's Florida Driver's License confirming residency requirements.
- If there are assets, a copy of the Marital Settlement Agreement signed and notarized by each party.
- If child(ren), a Certificate of Completion of a State-Approved Parent Education and Family Stabilization Course for each party.
- If child(ren), a copy of the parenting plan signed by each party with agreed upon child support guidelines.

## **12. ADOPTIONS and TERMINATION OF PARENTAL RIGHTS PENDING:**

These motions must be heard in-person. Virtual appearance may be permitted with an appropriate motion and order submitted to the Court. If both parties are pro se then they must fill out Form A located on the 18th circuit website under Self Help Center (Seminole County Self Center) and file it with the Clerk of Court.

## **13. MOTION TO WITHDRAW AS COUNSEL:**

If the attorney is able to obtain signed consent from their client, then the proposed order may be filed through the e-portal for signature. If a signed consent is unable to be obtained, a copy of the proposed order is to be sent

simultaneously to the pro se party and to the court with a cover letter stating that the pro se party/opposing counsel must voice any objections in writing to the court within 5 days. The proposed order allowing withdrawal of counsel must reflect the following:

- a) The client's name, address, email address and telephone number
- b) Statement that all pleadings are to be furnished to the client
- c) Statement that the client is responsible for notifying the Clerk, in writing, within (5) days of any changes of address.

#### **14. RESIDENTIAL FORECLOSURE CASES:**

Do not set residential mortgage foreclosure motions on JACS or for Short Matters. All residential mortgage foreclosure motions are heard on specific dates and times. Contact the Trial Coordinator at [DivisionSCM@flcourts18.org](mailto:DivisionSCM@flcourts18.org), for a list of those dates and times. After coordinating your hearing, contact the Trial Coordinator again to schedule. Due to the volume of cases and number of parties, telephonic appearances are not permitted regardless of the length of the hearing. DO NOT send hearing packets to the Court for these types of cases. Please bring them with you at the time of the hearing.

#### **15. MOTION FOR REHEARING/RECONSIDERATION, MOTION TO DISMISS AND/OR NEW TRIAL:**

Once a motion for Rehearing/Reconsideration, Motion to Dismiss and/or New Trial is filed with the Clerk's office, please schedule the hearing through JACs. The hearing is not a rehearing of the issue, but an opportunity for the party to argue their motion before the Court.

#### **16. PETITION TO RELOCATE:**

Parties must comply with section 61.13001 of the Florida Statutes. If a timely objection has been filed and a party is seeking expedited hearing time on their motion for temporary relocation, they must contact the JA. Failure to contact the JA to obtain expedited hearing time will constitute a waiver of the time frames contained in the statute.

## **17. MOTION FOR CHILD PICK-UP ORDER:**

Without notice, a copy of the motion with justification for lack of notice must be provided to the Judge by email with the approved proposed order. The order must have the heading, case number, division, and the parties' names filled out. If the Judge enters the order ex parte a certified copy can be obtained through the Clerk's office for service and a hearing will be indicated on the order as to the date and time for the parties to appear in court to present evidence. The Judge may deny the ex parte request but set a hearing and will either notify you with a verbal denial or by an order denying.

## **18. PROPOSED ORDERS:**

Effective March 2020 all orders must be submitted electronically through the e-portal with a cover letter. Cover letters submitted through the e-portal must have language stating opposing party/counsel agrees or does not object to the entry of the order. Do not submit a proposed order to the Court prior to your hearing.

When submitting orders to the Court for signature the orders must contain the following ICMS codes:

**DONE AND ORDERED in Seminole County, Florida on DDDD (for the date the court signed it to be electronically populated)**

**JJJJ (for the Judge's signature to be electronically populated)**

**Copies provided via e-service only through the Florida Courts E-Filing Portal. Moving party is responsible for service of all non-registered parties on MMMM.**

\*\*\*\*You must add all 4 letters in all caps and both fields, DDDD and JJJJ for the order to be signed, or it will be rejected for resubmission once corrected\*\*\*\*

## **SAMPLE PROPOSED ORDER**

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

Name,  
Plaintiff/Petitioner, CASE: 2020-XXXX

vs.

Name,  
Defendant/Respondent,  
TITLE OF ORDER

THIS CAUSE having come before the Court on Petitioner Motion... , and the Court having reviewed said motion, file, and otherwise being fully advised in the premises, it is hereby;  
ORDER that:  
The Petitioner's Motion is hereby GRANTED.

DONE AND ORDERED in Seminole County, Florida on DDDD

JJJJ

Copies provided via e-service only through the Florida Courts E-Filing Portal.  
Moving party is responsible for service of all non-registered parties on MMMM.

*Do not ask opposing counsel to contact the Judge's office with objections to a proposed order. If the opposing counsel has been forwarded a copy of the proposed order but has not responded within a reasonable period of time, you may forward the proposed order to the court with a cover letter stating if the motion was already heard before the court. If the motion has not yet been heard before the Court and you have not received a response from opposing counsel as to their position, then a hearing must be set. **If the other party is pro se, a copy of the proposed order is to be sent simultaneously to the pro se party and to the court with a cover letter stating that the pro se party must voice any objections in writing to the court within 5 days.***

## **19. SERVICE OF ORDERS:**

Copies of orders signed by the Court will be provided E-Service only through the Florida Courts E-Filing Portal. It is the attorneys/parties responsibility to update their email address with the Clerk of Court and the Florida Courts E-Filing Portal. The moving party is responsible for the service of all non-registered parties. If a prior attorney of record does not properly remove themselves on a case in the Florida Courts E-Filing Portal, they will continue to receive copies of orders signed and filed in that matter.

## **20. MOTIONS FOR JUDICIAL DEFAULT:**

Judicial defaults should only be sought if you're unable to obtain a Clerk's default and must be set for hearing.

## **21. FINAL JUDGMENTS OF DISSOLUTION OF MARRIAGE:**

The final judgment must contain the following:

(a) Appropriate paragraphs relating to any child issues, for example, support, time sharing, abatement of support, etc., if any. The final judgment cannot merely ratify and confirm the agreement. It must specifically state what is also in the agreement.

(b) Signature page must contain text. It cannot only contain the "DONE AND ORDERED" clause or a line for the judge's signature.

(c) Certification that conformed copies are being forwarded to all counsel and pro se parties, giving their names and addresses and a place for the judicial assistant to sign and date.

(d) A separate paragraph regarding payments which are to be through the Clerk's office similar to the following:

The husband/wife, \_\_\_\_\_ whose address is \_\_\_\_\_, shall pay child support in the amount \_\_\_\_\_ per \_\_\_\_\_, commencing \_\_\_\_\_, and on the \_\_\_\_\_ of each month thereafter, to the Clerk of the Circuit Court, Support Division, Seminole County Courthouse, Sanford, Florida (mailing

address: P. O. Box 819, Sanford, FL 32772-0819), together with the statutory service charge of 4% of the payment or \$5.25 whichever is less. Payment can also be made to State Disbursement Unit (SDU) at P.O. Box 8500, Tallahassee, FL 32314. Payment shall be made in the form of cash, cashier's check, certified check, money order, or other payment form acceptable to the Clerk or SDU, and must include the case number, name of the payer and payee for proper identification.

Child Support payments shall continue until the minor child(ren) reach the age of 18 years, marries, dies, becomes emancipated, or otherwise ordered by this court, whichever event shall occur first.

Each party shall inform the other and the Clerk of the Circuit Court immediately of any change of name or address. The attorney preparing the final judgment is to submit the proposed final judgment to opposing counsel/party for approval as to form and content prior to submission to the court. All final judgments are to be accompanied by a cover letter stating opposing counsel/party has approved the form of the order. If the attorneys cannot agree on the order, then a hearing is to be scheduled.

## **TRIALS**

### **FAMILY DIVISION:**

The Family Trial Coordinator can be contacted at [DivisionGCM@flcourts18.org](mailto:DivisionGCM@flcourts18.org) for any questions regarding Pre-Trial Conferences or Trial.

#### **1. Notice for Trial:**

A Notice for Trial stating that the cause is at issue must be filed with the Clerk's office. The notice shall include an estimate of the time required, and whether the trial is on the original action or a subsequent proceeding. The case will then be forwarded to the Family Trial Coordinator for review.

### **ALL CONTESTED CASES WILL BE REQUIRED TO ATTEND AND COMPLETE A MEDIATION SESSION**

## 2. Pretrial Conference:

Orders Requiring Mediation, Setting Pre-Trial Conference and Trial Date will be entered by the Court. Pretrial Conferences will be conducted telephonically. Parties are to be available for at least one (1) hour from the stated time for a phone call from the Court. If the party is pro se, they must contact the trial coordinator before the pre-trial conference with a phone number if they wish to appear by phone. A time certain trial time will be given during the pretrial conference. If it becomes necessary to place a case on the trial docket as a backup, the parties will be notified of the actual time of trial no less than 24 hours prior to trial time. The court will not address any pending motions at this time.

### CIVIL DIVISION:

The Civil Trial Coordinator can be contacted at [DivisionGCM@flcourts18.org](mailto:DivisionGCM@flcourts18.org) for any questions regarding Pre-Trial Conferences or Trial.

\*\*\* (When filing your notice for trial, please be advised that you will be placed on a trial docket within 6 months of the filing of the notice for trial. If you are not ready to go to trial within 6 months of filing, please wait to file your notice for trial. The Court's trial docket calendar only goes out 6 months and we are unable to provide trial dates past that time. If you file a notice for trial in the fall expect to be placed on a spring trial docket.) \*\*\*\*

## 1. Notice for Trial:

A Notice for Trial stating that the cause is at issue must be filed with the Clerk's office, and must contain complete, current e-mail addresses to all counsel of record or pro se parties. The notice shall include an estimate of the time required, whether the trial is to be by a jury or non-jury trial.

The case will then be forwarded to the civil coordinator for review. After review of the file the civil coordinator will send an email to all parties asking for a stipulation as to what trial period is agreed upon by all parties within 7 days. If the parties are unable to agree to a trial period the Court will set the matter on a trial docket.

Upon receipt of the stipulation, all parties will receive an Order Setting Pretrial Conference with all deadlines outlined.

The parties will be required to strictly adhere to the Order Setting Pretrial Conference. Case Management Conferences are no longer required.

## **2. Pretrial Conference:**

Pretrial Conferences are automatically set for any case requiring more than one day. If less time is required, a pretrial conference will have to be requested at the time of noticing the case for trial.

The court will expect full compliance with the Order Setting Pretrial Conference and Trial Date. Unless specifically excused by the judge, all attorneys/ pro se parties are required to attend in person at the pretrial conference, even if a time certain for trial has been set.

The court may designate counsel to send written notice to opposing counsel or pro se party who did not appear at the pretrial conference. The court will not address any pending motions at this time.

## **MOTIONS TO CONTINUE PRE-TRIAL/TRIAL:**

Opposed Motions for Continuance of Case Management, Pre-Trial, and/or Trial must be heard at Short Matters/Ex Parte. Any motion for continuance must be made in writing, signed by counsel for the parties, and shall state when the cause will be ready for trial. In ruling upon such motions, the court will weigh the following factors:

- What are the legal grounds?
- When was the case filed?
- When was the case noticed for trial?
- When was the motion filed?
- Will the parties be prejudiced?
- Has the case been previously continued and if so how many times?
- Has there been compliance with the temporary support order?
- What is the condition of court's calendar?



## **MANDATORY MEET AND CONFER EFFECTIVE JULY 1, 2021:**

A mandatory meet and confer process is hereby established, as set forth below, for all motions to be set for hearing and to occur before scheduling the hearing except for the following motions:

- Injunctive relief without notice
- Judgment on the pleadings
- Summary judgment

Counsel with 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 and include a Certificate of Compliance (see below "Exhibit A") that the conference has occurred in the Notice of Hearing filed with the court.

It shall be the responsibility of counsel who schedules the hearing to arrange the conference. The term "confer" requires a substantive conversation in person or by telephone or video conference 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 far, e-mail or letter.

Counsel who merely attempt to confer have not conferred. Counsel must respond promptly to inquiries and communications from opposing counsel who notices the hearing and is attempting to schedule the conference.

If counsel who notices the hearing is unable to reach opposing counsel to conduct the conference after three (3) good faith attempts, counsel who notices the hearing must identify in the Certificate of Compliance the dates and times of the efforts made to contact opposing counsel. Counsel shall include in the Notice of Hearing the Certificate of Compliance certifying that the meet and confer occurred (or did not occur and setting out the good faith attempts to schedule the conference) and identifying the date of the conference, the names of the participating attorneys, and the specific results obtained.

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. Failure to comply with the "meet and confer" requirement will result in the Court cancelling the scheduled hearing.

## "Exhibit A"

### *First Option:*

#### CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that a lawyer in my firm with full authority to resolve this matter had a substantive conversation in person, by telephone or by video conference with opposing counsel 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.

### *Second Option:*

#### CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that a lawyer in my firm with full authority to resolve this matter attempted in good faith to contact opposing counsel in person, by telephone or by video conference

on:

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

## **NOTICE FOR TRIAL:**

A Notice for Trial stating that the cause is at issue must be filed with the

Clerk's office, and must contain complete, current e-mail addresses to all counsel of record or pro se parties. The notice shall include an estimate of the time required, whether the trial is to be by a jury or non-jury trial. The case will then be forwarded to the case manager for review.

After review of the file the case manager will send an email to all parties asking for a stipulation as to what trial period is agreed upon by all parties within 7 days. If the parties are unable to agree to a trial period or upon receipt of the stipulation, the Court will set the matter on a trial docket and all parties will receive an Order Setting Pretrial Conference.

The parties will be required to strictly adhere to the Order Setting Pretrial Conference/Case Management Order. If the parties are not ready for trial, they may agree to withdraw the Notice for Trial and refile when ready. If the parties withdraw the Notice of Trial, the case will revert to the projected trial date and deadlines in the Case Management Order as previously ordered.

*\*\*If a case is at issue, a trial order may be issued for cases that fail to file a notice for trial at least 60 days prior to the projected trial date in the Case Management Order signed by the Court. \*\**

## **PRE-TRIAL CONFERENCES:**

Pre-Trial Conferences are being held remote, via Microsoft Teams. Unless specifically excused by the judge, all attorneys/parties are required to attend the pretrial conference remotely via video conference, even if a time certain for trial has been set. The court may designate counsel to send written notice to opposing counsel or pro se party who did not appear at the pretrial conference. The court will not address any pending motions at this time.

Our Pre-Trial and Trial dockets are online at <https://flcourts18.org/attorney-citizen-resources/attorney-resources/>. Please check back regularly as cases settle and continue off the docket frequently.