

AMENDED EFFECTIVE JULY 1, 2015

PROCEDURES FOR RESIDENTIAL MORTGAGE FORECLOSURE HEARINGS FOR SEMINOLE COUNTY

The following procedures are in effect for all Residential Mortgage Foreclosure cases in Seminole County. Please refer to the individual Policies & Procedures manual for the judge assigned to your case for information on scheduling hearings as procedures vary between judges assigned to hear foreclosure matters. You may also visit the Judicial Automated Calendaring System (JACS). Please refer to the Attorney Resource tab on the 18th Circuit Court website, www.flcourts18.org.

NO TELEPHONIC HEARINGS WILL BE AUTHORIZED FOR ANY RESIDENTIAL MORTGAGE FORECLOSURE PROCEEDING

- All residential mortgage foreclosure cases filed shall be heard by the presiding judge assigned to the case.
- Cases where the residence is owner-occupied and a pleading has been filed by the owner seeking relief must be mediated first before a hearing on a Motion for Summary Judgment can be scheduled (*see Administrative Order 12-25S*). **No other Motions are allowed to be set with a Motion for Summary Judgment.**

COUNSEL FOR PLAINTIFF MUST APPEAR IN PERSON AT THE MOTION FOR SUMMARY JUDGMENT HEARING

- It will be the responsibility of the attorney for the Plaintiff to bring the following documents to the Motion for Summary Judgment Hearing:
 - a. Proposed Final Judgment of Foreclosure
 - b. Sufficient copies of the judgment for each named party along with sufficient pre-addressed stamped envelopes for each party.
 - c. Original Notice of Sale; issued and executed by Plaintiff's attorney.
 - d. Originals and copies of the Certificates of Sale ("*Sold To*" portion of the document blank) along with appropriate pre-addressed stamped envelopes.
 - e. Certificates of Title and Disbursements shall be provided to the Clerk's Office after the sale of the property.
 - f. **Complete the below "checklist" reflecting the date of each indicated activity in the court file along with other information.**

PLEASE DO NOT PROVIDE ADDITIONAL COPIES OF DOCUMENTS TO THE COURT PRIOR TO THE SCHEDULED HEARING

- When arriving to the courtroom, it will be the responsibility of the attorney to sign-in on the sign-in sheet. The attorney will retain the checklist(s) until the Judge requests them.
- The cases will not be called in order of the attorney's arrival but based on the defendants who are present. Attorneys should plan to be available for their hearing for a minimum of one (1) hour from the scheduled time.
- Pro se parties representing themselves will need to contact the appropriate Judicial Assistant to schedule their Motions for hearing.

**FAILURE TO COMPLY WITH THESE PROCEDURES WILL RESULT IN
YOUR HEARING BEING CANCELLED**

FORECLOSURE SUMMARY JUDGMENT CHECKLIST

CASE NO.: _____ JUDGE: _____ HEARING DATE: _____

SHORT CASE STYLE: _____ vs. _____

NAMED DEFENDANTS:	Date:	<u>Served</u>	<u>Defaulted</u>	<u>Answered</u>	<u>Dismissed</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

ORDER APPOINTING G.A.L. for: _____ **Date Filed**

(Defendant's Name) _____
 AFFIDAVIT/ANSWER OF G.A.L. _____
 Fee Requested: \$ _____

PLEADINGS FILED:

Notice of Mediation _____
 Report of Mediation _____
 Motion for Summary Judgment _____
 Original Note and Mortgage _____
 Notice of Hearing _____
 Affidavit of Reasonable Attorney's Fee (expert) _____
 \$ _____
 Affidavit of Costs \$ _____
 Affidavit of Indebtedness/Amt. Owed \$ _____
 (*Amt due up to the hearing date*)
 Affidavit of Attorney's Time/Fee: _____
 Hours Spent: _____
 Fee Per Hour: \$ _____ \$ _____
 or or
 Flat Fee: \$ _____ \$ _____

***TOTAL AMOUNT: \$ _____**

Final Summary Judgment
***TOTAL AMOUNT: \$ _____**

*Both total amounts are to match; checklist is not complete if the numbers do not match