



**BROWARD COUNTY LOCAL RULES OF COURT
DIVISION “07” (TUTER)
(ALL-IN-ONE)**

{LAST UPDATED: 1/11/2022}

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visit TBD's [website](#) for the most up-to-date information

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BROWARD COUNTY RULES OF COURT

DIVISION 07

JUDGE JACK TUTER

LAST UPDATE 1/11/2022



LOCAL RULE 00 | BASIC INFO

Jack Tuter
Circuit Court Judge
Seventeenth Judicial Circuit
of Florida



Broward County
Courthouse
201 S.E. 6th Street,
Room **16-131**/Courtroom
16-165
Fort Lauderdale, FL
33301
(954) 831-6362
div04@17th.flcourts.org
cms@17th.flcourts.org
Geavonna Lapmarado

17TH JUDICIAL CIRCUIT COMPLEX BUSINESS DIVISION (07)

CHIEF JUDGE TUTER

AMENDED TEMPORARY PROCEDURES FOR THE CORONAVIRUS (COVID 19)

MOTION CALENDAR & SPECIAL SET HEARINGS

WILL BE HELD VIA ZOOM VIDEO CONFERENCE

MEETING ID: 319 670 946

(Last Updated: 1/11/2022)

Participate: Chief Judge Tuter

Join Zoom Meeting for Special Set hearings:
<https://17thflcourts.zoom.us/j/319670946>

Meeting ID: 319 670 946

One tap mobile

+1 312 626 6799, 319670946# US (Chicago)

+1 646 876 9923, 319670946# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)



Meeting ID: 319 670 946

Find your local number: <https://17thflcourts.zoom.us/j/ac5X4cmRW0>

17th JUDICIAL CIRCUIT COMPLEX BUSINESS

DIVISION (07) PROCEDURES

All hearings and trials are in Courtroom 17150

The Court's Judicial Assistant is Maria E. Prieto

In Court Clerk is Deedee

Court Deputy is Rod Ridgewell

Judge Tuter serves as Chief Judge of the 17th Judicial Circuit &
also serves as Division Judge in the Complex Business Division
07

Please go to www.17th.flcourts.org to utilize the Court's on-
Line scheduling of Motion Calendar and submission of Agreed
Orders. The Court accepts Agreed Orders on-line and not via US
mail.

PLEASE NOTE, EFFECTIVE IMMEDIATELY SUBMITTING AN AGREED ORDER
HAS CHANGED. PLEASE REVIEW THIS LINK:

[http://www.17th.flcourts.org/2018/06/04/new-agreed-orders-
training-guide/](http://www.17th.flcourts.org/2018/06/04/new-agreed-orders-training-guide/)



LOCAL RULE 01 | MOTION CALENDAR

All Motion Calendar hearings are scheduled on Wednesday mornings at 8:45 am. Hearings are limited to (5) minutes. A courtesy copy of all motions set on Motion Calendar should be uploaded to the hearing event via CMS - supporting documents. NO HARD COPY OF THE PLEADINGS NOTICE ARE REQUIRED.



LOCAL RULE 02 | ON-LINE SCHEDULING OF SPECIAL SET HEARINGS

All (15) (30) and (45) minute requests for special set hearings shall be scheduled utilizing the Court's on-line scheduling system. It is imperative all counsel coordinate self-scheduling at a mutually agreeable time. Because Judge Tuter reserves time for Administrative matters as Chief Judge, blocks of time for special set hearings are available on Tuesdays, Wednesdays, and Thursdays. The moving party shall contact the other side to arrange a conference call or propose open dates to set the hearing.

Any party/counsel who does not return a written request to set a special set hearing within (2) business days entitles the moving party to pick a date and set the matter for a hearing:

Once the hearing has been scheduled, a courtesy copy of all pleadings including the Notice of Hearings shall be uploaded to the hearing event via CMS - supporting documents. The parties should be advised this procedure is established to accommodate attorney's requesting hearing time. Please utilize the same system to cancel any self-scheduled hearing.

LOCAL RULE 03 | SPECIAL SET HEARINGS REQUESTING MORE THAN (45) MINUTES

All requests for Special Set hearings THAT EXCEED (45) minutes in duration shall be emailed to div07@17th.flcourts.org. Counsel for the moving party shall confer with all Counsel and advise the Court how much time is requested for the hearing. The request for hearing time shall take into consideration permitting all Counsel to have adequate time for argument. The moving party shall send a letter setting forth the amount of time requested and accompany the request with a copy of any Pleadings/Motions regarding the hearing. After the matter is reviewed by the Court, the Court's Judicial Assistant may require the parties to set up a phone conference to schedule the matter.



LOCAL RULE 04 | PHONE APPEARANCES

Phone appearances are always permitted without leave of Court or motion. However, the party requesting to appear by phone shall notify the Court via email prior to the hearing at div07@17th.flcourts.org. A direct contact number must be provided to the Court. In the event multiple parties wish to appear by phone, it will be counsel's responsibility to coordinate setting up a conference call and providing the phone number and access code to the Court. The Court will initiate the call from the bench.



LOCAL RULE 05 | TELEPHONE HEARINGS

The Court, or its' Judicial Assistant may conduct telephonic hearings Monday through Friday on short notice, to alleviate the necessity of counsel appearing in person. The moving party shall be responsible for establishing conference calls with all counsel of record for telephonic hearings.



LOCAL RULE 06 | EMERGENCY HEARINGS

All requests for Emergency Relief shall comply with the 17th Judicial Circuit's definition of an emergency, be in writing, and submitted to the Court. In the event the Court is not in session such requests should be submitted to Court Administration or the Civil Duty Judge.



LOCAL RULE 07 | HEARINGS TAKEN UNDER ADVISEMENT

The Court from time to time takes hearings under advisement, orders transcripts of the hearings etc.. Should the parties not receive an Order on a case taken under advisement within (30) days of the hearing, they should send an email to div07@17th.flcourts.org advising the Court they have not received an Order on a pending matter.



LOCAL RULE 08 | AGREED ORDERS

All Agreed Orders shall be submitted/uploaded through the 17th Judicial Circuit - E-Order System. Please note ONLY Agreed Orders are permitted via this website. Please DO NOT submit cover letters, or pleadings as it may result in the Order being rejected. All originals of all pleadings should be e-filed with the Clerk of Court.

**PLEASE NOTE, EFFECTIVE IMMEDIATELY SUBMITTING AN AGREED ORDER
HAS CHANGED.**

PLEASE REVIEW THIS LINK:

17th.flcourts.org/2018/06/04/newagreedorderstraining-guide/



LOCAL RULE 09 | TRANSFERS TO COMPLEX DIVISION

All requests for transfers from other Divisions must meet prerequisites of the Administrative Order governing transfer of cases to the Complex Division. If all counsel are in agreement as to the matter being transferred to a Complex Division, a hearing may not be necessary. Simply submit the motion to the Court, and if the Court finds the matter meets criteria, the case will be reassigned accordingly. Any party objecting to the transfer of a case to a Complex Division may set the matter for a hearing on the Court's Wednesday Motion Calendar docket by the Court's Judicial Assistant. Please email the Court at div07@17th.flcourts.org with the style of the case, a Notice of Hearing setting forth which date the matter is to be heard and a copy of the Motion to Transfer. The Court will place the matter on the transfer docket and confirm with all counsel. [Establishing Procedures for Direct Filing or Reassignment of Circuit Civil Cases to a Complex Business or Complex Tort Division](#)



LOCAL RULE 10 | CASES TRANSFERRED TO COMPLEX DIVISION (07)

All newly transferred cases to Division (07) from other Civil Divisions should set a status conference within (30) days of the transfer Order. Status conferences should be set on the Court's Wednesday Motion Calendar.



LOCAL RULE 11 | CIVIL FORFEITURES

Actions pursuant to Florida Statute 932.701. In accord with changes enacted by the Florida Legislature regarding Florida Statute 932.701, the 17th Judicial Circuit Civil Division has implemented the following procedures for any Law Enforcement Agency making application for Ex-parte Probable Cause Orders within ten (10) business days after the date of the seizure, and prior to the filing of the verified forfeiture complaint:

1. Any application for an ex-parte probable cause determination and any affidavits or attachments thereto shall be sent electronically to forfeiture@17th.flcourts.org no later than 10 business days following the date of seizure.
2. The email shall be from the email address registered for criminal warrants. If the email is sent from a non-registered email address it will not be opened or any action taken on the application and sworn affidavit.
3. After review, an Order will be returned electronically to the email address from the Agency making application.
4. If the initial application is denied for Lack Of Probable Cause, and any subsequent application is made within the (10) business day period, the new application shall be an "Amended Application" and indicate in the body of the text the dates of all previous submissions and the name of the Judge to whom the original submission was made.
5. The attached proposed Order regarding the petition is attached and shall be provided with the application for an ex-parte Probable Cause determination.



LOCAL RULE 12 | CASE MANAGEMENT

All cases in Division (07) require a Case Management Order setting out discovery schedules and witness disclosure dates. Counsel of record may agree to a Case Management Order regarding discovery dates and submit same through the 17th Judicial Circuit - E-Order system. If the parties cannot agree to disclosure dates, either party may set the matter on Motion Calendar for resolution by the Court.



LOCAL RULE 13 | READY FOR TRIAL DOCKET

In an effort to offer litigants with pending jury trials greater access to the Courts, litigants with pending cases in the Circuit Civil Division may place cases on the 17th Judicial Circuit's ready for trial docket. The ready for Trial Docket will afford litigants and their counsel the opportunity to place any Circuit Civil case to be tried by a jury on a Trial Docket. The case may or may not be under a current trial order but the parties through their counsel shall stipulate the case meet all criteria to be placed on the Ready for Trial Docket. [Ready For Trial Announcement](#), [Ready for Trial Docket Stipulation](#)



LOCAL RULE 14 | TRIAL ORDERS

The parties are to schedule a Status Conference on Motion Calendar for the Court to place a case on a Trial Docket. Alternatively, the parties can agree to be placed on a trial period by filing a stipulation or emailing the court requesting a particular trial period. The email should be sent to div07@17th.flcourts.org. The Court requires substantial compliance with the Case Management Order or substantial completion of discovery before a case will receive a trial date. Cases are set for trial on quarterly dockets.



LOCAL RULE 15 | COURT'S QUARTERLY TRIAL DOCKET

Although cases may be set for trial on the Court's Quarterly Trial Docket, cases will not be given a trial date until substantial compliance with the Case Management Order or completion of substantial discovery has been completed. Transfers from other Divisions, ready for trial under a current Trial Order, do not require a Case Management Order if the case is ready for trial. Generally, the Court does not require court appearances for a calendar call, the judicial assistant will contact the parties on the eve of.



LOCAL RULE 16 | TRIAL EXHIBITS

In cases where exhibits will exceed 100 pages, the Court requires counsel from all sides to meet and confer to go over trial exhibits and determine any disputed exhibits. All non-disputed exhibits shall be provided to the Court via a flash drive and one or all parties **shall file out the clerk of courts exhibit worksheet prior to closing arguments using the fillable pdf included herein.** Any disputed exhibits shall be addressed by the Court pre-trial or at trial as the Court may order.

[Exhibit List](#)

[Exhibit Worksheet](#)



LOCAL RULE 17 | NEW COURTS TECHNOLOGY

The west Courthouse has new technology for presentation of video and other imaging. To view how to use the equipment please follow either link:

<https://youtu.be/V8aqOA0fZ5g>

or

<http://www.17th.flcourts.org/index.php/selfhelp/courttutorials/evidence-presentation-system>

PLEASE do not call to inquire whether the Judge has signed a particular order or received a hand delivery. All approved electronic agreed orders are transmitted instantaneously via email when approved by the Court. We appreciate your cooperation.



LOCAL RULE 18 | SUMMARY JUDGMENT MOTIONS

Pursuant to the recently amended Florida Rule of Civil Procedure 1.510(a)- A party moving for Summary Judgment **shall** identify each claim or defense-or part of each claim or defense on which summary judgment is sought.

The moving party shall file a statement of material facts at the time of filing a motion for summary judgment as a separate filing.

Rule 1.510(c)(1) -A party asserting that a fact cannot be or is genuinely disputed must support the assertion by:

(A) citing to **particular parts** of materials in the record, including depositions, documents, ESI, affidavits, stipulations, admissions, interrogatory answers, or other materials; or

(B) showing that the materials cited do **not** establish the absence or presence of a genuine dispute, or that an adverse party cannot produce admissible evidence to support the fact.

Rule 1.510(c)(5) - The supporting materials **must be served with the motion and with the response.**

By way of example:

Movant's Statement of Facts:

1. Green Acres is a vacant property located at 123 Main Street. (Exhibit 1)
2. John Smith owns Green Acres. (Exhibit 2)

Respondent's Opposing Statement of Material Facts:

1. Green Acres is a vacant property located at 123 Main Street. (Exhibit 1)
Admitted that Green Acres is located at 123 Main Street. (Exhibit Denied that the property is vacant. (Exhibit 5)
2. John Smith owns Green Acres. (Exhibit 2)
Denied as phrased. Admitted that the last recorded deed to Green Acres names John Smith. (Exhibit 2)

Rule 1.510(d) requires an Affidavit or Declaration stating **specific reasons** when facts are unavailable to the nonmovant party.

Remember, Rule 1.510(b), requires the motion be served at least 40 days before the time fixed for the hearing, and Rule 1.510(5) requires nonmovant to serve a response at least 20 days before the time fixed for the hearing.



LOCAL RULE 19 | 2023 - 2024 TRIAL DOCKET SCHEDULE

CALENDAR CALL @ 8:45 AM

COURTROOM 17150 2023		
QTS	CALENDAR CALL	TRIAL WK DOCKET
1 ST	November 2, 2022	January 17 - March 31, 2023
2 ND	March 8, 2023	April 3 - June 23, 2023
3 RD	May 31, 2023	June 26 - September 1, 2023
4 TH	August 9, 2023	September 5 - November 17, 2023

COURTROOM 17150 2024		
QTS	CALENDAR CALL	TRIAL WK DOCKET
1 ST	November 1, 2023	January 16 - March 28, 2024
2 ND	March 6, 2024	April 1 - June 21, 2024
3 RD	May 29, 2024	June 24 - September 6, 2024
4 TH	August 7, 2024	September 9 - November 22, 2024



APPENDIX



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1	Original Source	17th.FLCourts.org/division-07/

INTERACTIVE VERSION

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1	Web	TextBookDiscrimination.com/Rules/Court/FL/Broward/07/

CONTACT INFORMATION

E: TextBookDiscrimination@gmail.com
W: www.TextBookDiscrimination.com

Congratulations! You're now **booked up** on Division 07's Local Rules of Court (Broward County, FL) which are pertinent to civil rights litigation!

