



**BROWARD COUNTY LOCAL RULES OF COURT
DIVISION “11” (GUNDERSEN)
(ALL-IN-ONE)**

{LAST UPDATED: 10/1/2022}

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BROWARD COUNTY RULES OF COURT

DIVISION 11

JUDGE MARINA GARCIA-WOOD

LAST UPDATE 10/1/2022



LOCAL RULE 00 | BASIC INFO

Marina Garcia-Wood
Circuit Court Judge
Seventeenth Judicial Circuit
of Florida



Broward County
Courthouse
201 S.E. 6th Street,
Room **16-160**/Courtroom
16-129
Fort Lauderdale, FL
33301
(954) 831-3580
Div11@17th.FLCourts.org
MELINDA FLEMING, Judicial
Assistant

JUDGE CHRISTOPHER POLE
Courtroom WW4150
foreclosure@17th.FLCourts.org

Judge Marina Garcia-Wood

CIRCUIT COURT JUDGE

Judicial Assistant: Melinda Fleming

m Fleming@17th.FLCourts.org

Chambers: WW16129 / Courtroom: WW16160

Division (11) E-mail: div11@17th.FLCourts.org

foreclosure@17th.FLCourts.org

LOCAL RULE 01 | IN PERSON/ZOOM HEARINGS

The Court and its staff are working in person at the Courthouse. All jury and non-jury trials, evidentiary hearings and special set hearings over 45 minutes will be held in person in Courtroom 16160, unless the parties request, and the Court has agreed, to hold the hearing via Zoom.

The Court will hold all hearings 15 minutes (M/C, CMC, Calendar Calls) or less via Zoom, unless the parties request, and the Court has agreed, to hold the hearing in person. When appearing on Zoom, the parties are to turn their video on and conduct themselves as if they are in open Court.



LOCAL RULE 02 | FORECLOSURE DIVISION (11) PROCEDURES

THE ONLINE DOCKETING FOR UMC ONLY IS NOW AVAILABLE TO SCHEDULE UMC HEARINGS STARTING JANUARY 23, 2023.

SENIOR JUDGE CHRISTOPHER POLE IS THE ASSIGNED SENIOR JUDGE FOR DIVISION 11 AND HE WILL BE THE PRESIDING JUDGE FOR TRIALS IN DIVISION 11 UNLESS INDICATED OTHERWISE.

JUDGE CHRISTOPHER POLE ZOOM INFORMATION:

<https://17thFLCourts.zoom.us/j/91496393836>

Meeting ID: 914-9639-3836

In the trials set before Judge Christopher Pole the attorneys and witnesses may appear by zoom or live in open court. The attorney's must designate whether they and their witnesses are going to appear by zoom or live in open court.

PLEASE REVIEW ADMINISTRATIVE ORDER 2020-42 REGARDING THE ADMISSION OF EVIDENCE.

CASE MANAGEMENT:

all hearings will be proceeding via Zoom until further notice.

MOTION CALENDAR:

all hearings will be proceeding via Zoom until further notice. Before setting your hearing, please make sure to read the Administrative Order 2020-40-Civ (Second Amended) DEFAULTS, WRITS OF GARNISHMENT, EVICTIONS AND WRITS OF POSSESSION.

Hearings properly set for 5 minutes and properly noticed will be heard through zoom. After the hearing is set on UMC make sure to upload your notice of hearing and motion to the Supporting Documents section on CMS at least 5-7 business days before your hearing. Cases not properly set and missing the supporting documents, will be canceled. PLEASE SEE: Supporting Documents Training Guide



LOCAL RULE 03 | MOTIONS - LIMITATIONS

(a) In a motion or other application for an order, the movant shall include a concise statement of the relief requested, a statement of the basis for the request and citation to legal authority in support of the request. Motions set on motion calendar shall not exceed four (4) pages and motions scheduled for special set hearing shall not exceed ten (10) pages (this page limitation excludes Motion for Summary Judgment). All motions and responses shall be double-spaced with margins not less than one inch. Font size shall not be less than 12 points.

(b) Each party opposing a motion or application may file a response that includes citation to legal authority in opposition to the request. A response to a motion calendar matter shall not exceed three (3) pages and a response to a special set matter shall not exceed seven (7) pages.

(c) No party shall file any reply or further memorandum directed to the motion or response allowed in (a) and (b) unless the Court grants leave.

(d) A motion requesting relief from the page limitation shall not exceed two (2) pages, specify what efforts have been made to comply with the page limitation, specify the length of the proposed filing and not include any attachments.

(e) Page limitations set forth in these procedures do not include the caption or certificate of service. For example, if the motion for a special set hearing is a total of eleven (11) pages, but the caption consumes half a page, and the certificate of service consumes half a page, then the motion has met the ten (10) page limit for special set hearings.

ORIGINAL NOTE AND MORTGAGE NEED TO BE FILED WITH THE CLERK'S OFFICE.

ORDERS TO SHOW CAUSE: PLEASE SUBMIT AN ORDER ON THE MOTION FOR A HEARING THROUGH THE CMS PORTAL SYSTEM FOR JUDGE GARCIA-WOOD'S REVIEW AND ELECTRONIC SIGNATURE. PLEASE REMEMBER TO ATTACH YOUR MOTION.

Beginning JANUARY 23, 2023 - ALL HEARINGS INCLUDING UNIFORM MOTION CALENDAR AND SPECIAL SET HEARINGS WILL BE HELD IN PERSON; HOWEVER, ZOOM VIDEO CONFERENCE IS AVAILABLE UNTIL FURTHER NOTICE.



PLEASE SUBMIT AGREED OR PROPOSED ORDERS THROUGH THE CMS ONLINE SYSTEM AT [17TH.FLCOURTS.ORG](http://17th.FLCOURTS.ORG) AND SEND ANY SUPPORTING DOCUMENTS AS ATTACHMENTS.

EMERGENCY MOTIONS: All emergency motions to cancel a foreclosure sale must be filed before 4:00PM on the day prior to the sale. The parties also must email their request for a hearing to div11@17th.FLCourts.org and foreclosure@17th.FLCourts.org before 4:00PM on the day prior to the sale. The notice of hearing must state that the hearing will be held via Zoom Video Conference. If this emergency procedure is not strictly complied with, the hearing will not be held.

All emergency motions to stay a writ of possession must be filed before 4:00PM on the day prior to the hearing. The parties also must email their request for a hearing to div11@17th.FLCourts.org and foreclosure@17th.FLCourts.org before 4:00PM on the day prior to the hearing. The notice of hearing must state that the hearing will be held via Zoom Video Conference. If this emergency procedure is not strictly complied with, the hearing will not be held.

PLEASE FOLLOW THE INSTRUCTIONS BELOW FOR

JUDGE GARCIA-WOOD AND JUDGE POLE ZOOM INFORMATION:

Zoom Meeting Link	<u>Meeting ID 852-787-101</u>
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<http://www.17th.FLCourts.org/judiciary-list-and-category/>

(Judicial Directories with all Zoom Meeting Links and IDs)

JUDGE GARCIA-WOOD is inviting you to a scheduled Zoom meeting.

Topic: Judge Garcia-Wood's Docket

Join Zoom Meeting: <https://17thFLCourts.zoom.us/j/852787101>

Meeting ID: 852-787-101

One tap mobile

+1 646 876 9923, 763453911# US (New York)

+1 312 626 6799, 763453911# US (Chicago)



Dial by your location

+1 646 876 9923 US (New York)

+1 312 626 6799 US (Chicago)

+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: 852-787-101

All Zoom meetings now include toll free numbers for Participants calling in by phone:

(888) 475-4499 US Toll-free, (833) 548-0276 US Toll-free

(833) 548-0282 US Toll-free, (877) 853-5257 US Toll-free

JUDGE CHRISTOPHER POLE:

<https://17thFLCourts.zoom.us/j/91496393836>



LOCAL RULE 04 | SPECIAL SET HEARING MATERIALS

All hearings shall be in person but until further notice Zoom shall be available for motion calendar, calendar calls, case management conference and emergency matters.

Zoom is not available for trials or special set hearings unless approved by the court.

- May be uploaded electronically through CMS.
- Prior to an Evidentiary Hearing all counsel/self represented parties must meet and confer (telephonically, email, or videoconference) to discuss stipulations regarding authenticity and admissibility of exhibits.

At least Two (2) days prior to an evidentiary hearing, counsel(s) shall file all evidence to be introduced. The exhibits should be pre-marked or bates stamped with an index. Counsel(s)/parties SHALL make every effort to file a Joint Index with exhibits.

FOR ALL EVIDENTIARY HEARINGS/TRIALS, PLEASE REVIEW AO 2020-42-GEN ADMINISTRATIVE [ORDER HERE](#).

Please see: [Supporting Documents Training Guide](#)

Please Note: **DO NOT** Send Hard Copies of Motions or Materials for UMC, Case Management Hearings or Special Set Hearing. **ALL** paperwork needs to be uploaded electronically through CMS, no paperwork should be **DROPPED OFF** in front of the Courthouse.

If you encounter technical difficulties submitting an order or uploading documents to CMS, please send an e-mail to calendar@17th.FLCourts.org for further assistance.

For Hearings Requiring Court Reporters:

Parties who desire a Court Reporter will make the necessary arrangements with the Court Reporter. IN PERSON APPEARANCE at special set hearings.

- The Court Reporter will announce their presence.
- Any witness(es) or interpreter will announce their presence, the attorneys must ensure a person authorized to give oaths is present.
- See [Supreme Court of Florida, Administrative Order No. AOSC20-16](#).



**ANNOUNCEMENT DIRECTED TO ALL PERSONS APPEARING BY TELEPHONE OR
VIDEO CONFERENCE:**

In times like these the need for professionalism is even more paramount. Many of us are experiencing multi-party telephonic and video hearings for the first time.

PLEASE:

- 1) Be considerate and let others finish making their arguments/thoughts without interruption before responding.
- 2) State your name when you begin to speak, especially in multi-party hearings and when a court reporter is in attendance.
- 3) Please be patient, the Court is attending to multiple matters at the same time.
- 4) Mute your phone and please be mindful of background noise when you are not speaking.
- 5) When attending hearings via ZOOM, please remember that you are on camera and everyone involved can see you. If you do not want to be seen you can click on the icon to just attend via audio.
- 6) The Zoom proceedings are not being recorded, if you want a record you need to hire a court reporter, this Court has not authorized anyone to record the Zoom Proceeding absent a court reporter. BE ADVISED THAT ANY RECORDING WITHOUT THE COURT'S APPROVAL AND CONSENT may be considered a 3rd Degree Felony and the matter may be referred to the Broward County State Attorney's Office.



LOCAL RULE 05 | CIVIL DIVISION 11 - RESIDENTIAL FORECLOSURES

The following procedures are effective **January 17, 2023**

To communicate with the Foreclosure Unit please use the following methods:

Telephone: 954-831-3580

Email:

foreclosure@17th.FLCourts.org

Div11@17th.FLCourts.org

Hand Deliveries: WW16129

Mailing Address:

Broward County Courthouse, Chambers WW16129

201 S.E. 6th Street

Fort Lauderdale FL, 33301

LOCAL RULE 06 | HOW TO SCHEDULE A HEARING

All parties are required to utilize the Online Electronic Scheduling System for the 17th Judicial Circuit "Case Management System" to schedule Uniform Motion Calendar (UMC) Hearings, Trials and uploading E-Orders.

To schedule hearings on-line <https://cms.17th.FLCourts.org/ebench>

If you encounter technical difficulties, please email the Court's Judicial Information System (JIS) personnel for assistance at:

calendar@17th.FLCourts.org.

LOCAL RULE 07 | HEARINGS

UNIFORM MOTION CALENDAR (UMC)

Monday-Thursday 9:15 AM to 9:45 AM

UMC is held in courtroom WW16160. UMC hearings are for **non-evidentiary** matters and may not exceed five (5) minutes. UMC hearings may be scheduled via the Online Scheduling System. It is not necessary to furnish the Court with a courtesy copy of the Notice of Hearing, Motion or supporting documents provided all pleadings/documents have been efiled.

CASE MANAGEMENT CONFERENCES (CMC) AND LOPs:

Fridays 9:15AM - 10:00 AM

Case Management Conferences (CMC) are scheduled on a case by case basis, depending on the motion before the court and recent case activity. All CMC hearings are held in courtroom #WW16160. CMC hearings will **ONLY** be scheduled by the Judge and her staff in court.



LOCAL RULE 08 | SPECIAL SET HEARINGS

All Special Set Hearings that exceed 30 minutes **MUST** be set with the Judicial Assistant, via email Div11@17th.FLCourts.org (**please include opposing counsel(s) in the email**). Counsel shall confirm that the motion has been efiled and will advise how much time is requested for the hearing. Counsel, in good faith, shall secure the hearing time necessary to give all parties adequate time to argue the merits of the motion.



LOCAL RULE 09 | FEE HEARINGS

Evidentiary Fee Hearings can be scheduled on CMS, unless they will exceed 30 minutes and then you will have to contact the JA.



LOCAL RULE 10 | EMERGENCY HEARINGS

Emergency hearings are limited to emergency motion to cancel foreclosure sale and emergency motion to stay a writ of possession. These are handled in the manner outlined below and in the [Self-Represented Litigant flyer](#).

An emergency hearing to postpone/cancel a foreclosure sale cannot be scheduled on the Judge's Online Calendar. This is heard as a Walk-In / Add On to the UMC Calendar (Monday-Thursday) within five (5) business days of the scheduled sale. The hours of court are 9:15 AM - 9:45 AM.

An emergency hearing to stay a writ of possession, cannot be scheduled on the Judge's Online Calendar. This is heard as a Walk-In / Add On to the day's Calendar (Monday-Thursday). The hours of court are 9:15 AM - 9:45 AM. Once the Motion to Stay the Writ of Possession has been filed with the Clerk of Circuit Court, a Clerk will direct you.



LOCAL RULE 11 | TELEPHONIC HEARINGS

Telephonic hearing requests will be addressed in accordance with Fla. R. Jud. Adm. 2.530. A party wishing to appear by telephone can submit a motion 48 hours prior to the hearing to appear telephonically with a proposed order to the court by U.S. Mail, Hand-delivery or via the Online Scheduling System. Please include the telephone number in your proposed order where counsel may be reached.

The Court cannot guarantee that a motion to appear telephonically will be reviewed and ruled upon if the motion and proposed order are received by the Court less than five (5) business days prior to the hearing.



LOCAL RULE 12 | TRIALS

Trials before Judge Christopher Pole shall be on Mondays, Tuesdays and Wednesdays at 9:00 a.m.

Foreclosure Trials are held in courtroom WW4150. Rescheduling of trial dates may occur at the time of hearing if appropriate. Motions to Continue Trial must be set for hearing. See Fla.R.Civ.P. 1.460 FlaRule.Jud.Adm. 2.545(E). The may not be submitted as an Agreed Order.

Trials before Judge Garcia-Wood shall be set during the Court's trial setting.

ALL Motions for Rehearing need to be **delivered** to chambers #WW16129.

Motions to Cancel Sales, Reset Sales and Motions for Writs of Possession are subject to Fla. R. Civ. P. 1.080 (a).
Fla.Rul.Jud.Adm.2.516



LOCAL RULE 13 | SELF REPRESENTED LITIGANTS

If you are a self-represented person (*pro se*), needing to schedule a hearing, have an upcoming foreclosure sale canceled or have been issued a Writ of Possession please see the **Self Represented Litigant flyer** for further information.

Self-represented (*pro se*) litigants may have their hearings scheduled with the help of a Foreclosure Case Manager. A valid national identification (passport, driver's license, etc.) and a copy of the filed motion are required. A copy of the motion and notice of hearing must be sent to all parties in the matter.

To register for On-Line Scheduling click here [User Agreement for On-Line Scheduling](#) form. This form must be returned to foreclosure@17th.FLCourts.org

Please review the **SELF-REPRESENTED LITIGANT** link for more information.



LOCAL RULE 14 | AGREED ORDERS

Users of Division 11 may upload **Agreed E-Orders and Supporting Documents ONLY**. Agreed Orders must carry the word **AGREED** in the motion and order title. To upload Agreed Orders and use Online Scheduling visit the **17th Judicial Circuit of Florida website**, look for *Quick Links* then click on *e-Order Instructions or Online Scheduling System* (one of the bullet points below).

The sender **MUST** certify the submitted order is agreed by selecting a specific category. The categories include:

Agreed Order (not applicable to continue a hearing)
Agreed Order for Extension of Time to Respond to Complaint
Final Order of Dismissal of the Case as to all Parties
Final Order of Dismissal as to One or More Parties but
not a Final Order of Dismissal of the Case
Agreed Stipulation for Substitution of Counsel

NOTE:

The Judge's electronic signature will appear on the last uploaded page of your document. It is important therefore that the last uploaded page is the signature page of the e-order.

Signed copies of Orders are uploaded to the docket by the Clerk's Office. This can be viewed online once uploaded, please allow sufficient time for your order to be signed and uploaded. Counsel should ensure parties are notified.

If you are a person with a disability who needs accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Diane Sobel, Room WW20140, 201 S.E. 6TH Street, Fort Lauderdale FL 33301, (954)831-7721; at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.



LOCAL RULE 15 | ADMINISTRATIVE ORDERS

- 2014-17-CIV: As to Residential Mortgage Foreclosure
(Affidavit of Compliance With Administrative
Order As To Summary Judgment Hearings
- 2015-26-CIV: Establishing Circuit Civil Case Distribution
- 2014-32-CIV: Amended Circuit Civil and County Civil Emergency
Matters **Form A**
- Please see Administrative Order # 2014-32-CIV
- 2017-33-GEN: Motion for Rehearing, please see Administrative
Order

***IMPORTANT JUDICIAL DISCLOSURES:**

In 2015 the judge settled a liability claim against GEICO;

In 2017 and from Hurricane Irma, the judge and her husband had the following Insurance claims that all have settled:

GEICO claims for judge's flooded car and a second claim for husband's sunken boat, both settled in 2017.

Tower Hill Insurance Company, flood policy claim from Irma, settled in 2017.

Citizens Insurance Company homeowners Irma windstorm claim, settled in 2019.

The judge's husband had an ownership interest in an out of county LLC that settled a Hurricane Irma windstorm claim in 2018 with Philadelphia Insurance Companies.

The Judge has a GEICO claim pending as a result of a car accident on 3/7/2022.



APPENDIX



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ORIGINAL SOURCE

<u>#</u>	<u>Item</u>	<u>Link</u>
1	Original Source	17th.FLCourts.org/division-11/

INTERACTIVE VERSION

<u>#</u>	<u>Item</u>	<u>Link</u>
1	Web	TextBookDiscrimination.com/Rules/Court/FL/Broward/11/

CONTACT INFORMATION

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

Congratulations! You're now ***booked up*** on Division 11's Local Rules of Court (Broward County, FL) which are pertinent to civil rights litigation!

