

LOCAL RULE 17 | SUMMARY JUDGMENT MOTIONS

Pursuant to the Florida Supreme Court's [amendment to Florida Rule of Civil Procedure 1.510 effective May 1, 2021](#), parties moving for summary judgment must support or oppose the motion with a statement of material facts. In the interest of judicial economy, in the interest of proper and careful consideration of each party's statement of material facts, and in the interest of determining matters on summary judgment on the merits, the Court orders the parties to file any statements of material facts as follows:

1. The moving party shall file a statement of material facts as a separate filing from a motion for summary judgment.
2. The statement shall not exceed ten (10) pages.
3. Each material fact in the statement that requires evidentiary support shall be set forth in an individually numbered paragraph and supported by a specific citation. This specific citation shall reference pages (and paragraph or line numbers, if applicable) of the cited exhibit(s). When a material fact requires evidentiary support, a general citation to an exhibit, without a page number or pincite, is not permitted.
4. Each exhibit referenced in the motion for summary judgment and/or in the statement of material facts must be filed on the docket. Exhibits which have already been filed on the docket need not be refiled. If a deposition transcript is referenced, a complete copy must be filed which includes all exhibits. Within twenty-four (24) hours of filing a motion for summary judgment, the movant shall separately file an index of the cited exhibits which names each exhibit and references the docket entry at which that exhibit may be found. (*Show name of document and date filed.)
5. The responding party may file an opposing statement of material facts which responds to the moving party's statement of material facts.
6. The opposing statement of material facts shall not exceed ten (10) pages.
7. A responding party's opposing statement of material facts must specifically respond to each statement in the movant's statement by setting forth each of the individually numbered



paragraphs contained in the movant's statement and after each paragraph, detail respondent's response or opposition.

By way of example:

Movant's Statement of Material Facts

1. Blackacre is a vacant property located at 123 Main Street. Exhibit A ¶ 1.
2. Sarah Jones owns Blackacre. Exhibit B ¶ 12.

Respondent's Opposing Statement of Material Facts

1. Blackacre is a vacant property located at 123 Main Street. Exhibit A ¶ 1.

Admitted that Blackacre is located at 123 Main Street. Exhibit A ¶ 1. Denied that the property is vacant. Exhibit C at 5.

2. Sarah Jones owns Blackacre. Exhibit B ¶ 12.

Denied as phrased. Admitted that the last recorded deed to Blackacre names Sarah Jones. Exhibit B ¶ 12.

8. Each exhibit referenced in the response to the motion for summary judgment and/or in the opposing statement of material facts must be filed on the docket. Exhibits which have already been filed on the docket need not be refiled. If a deposition transcript is relied upon, a complete copy must be filed which includes all exhibits. Within twenty-four (24) hours of filing a response to the motion for summary judgment, the responding party shall separately file an index of the cited exhibits which names each exhibit and references the docket entry at which that exhibit may be found. (*Show name of document and date filed.)

9. In the event that cross motions for summary judgment are filed, the Court may order the parties to submit a consolidated statement of material facts and responses as appropriate. If cross motions are anticipated, the parties may jointly move for an order to file consolidated statements prior to filing the motions for summary judgment.

10. A reply statement of facts is not permitted.

Please, **DO NOT CALL** the Judicial Assistant to confirm these procedures, hearings, to see if your documents have been received



or signed by the Judge and/or for technical support using the Court Management System (CMS).

You can confirm your hearing by calling the scheduling party. When a hearing is set or cancelled, the Court Management System (CMS) will notify all parties registered with the E-Portal via email.

If you are having technical difficulties using the Court Management System (CMS) or uploading your order, please email the help desk at calendar@17th.flcourts.org.

Please visit the following for additional assistance with the Case Management System (CMS):

- <http://www.17th.flcourts.org/cms-manuals/>
- <http://www.17th.flcourts.org/cms-faq/>

To view videos on the Courtroom Evidence Presentation System in the courtroom, please visit the following:

- <http://www.17th.flcourts.org/evidence-presentation-system/>

Thank you for your cooperation.

CIVIL DIVISION 12

THE HONORABLE KEATHAN B. FRINK

