



**BROWARD COUNTY LOCAL RULES OF COURT
DIVISION “14” (RODRIGUEZ)
(ALL-IN-ONE)**

{LAST UPDATED: 10/1/2022}

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BROWARD COUNTY RULES OF COURT

DIVISION 14

JUDGE CARLOS A. RODRIGUEZ

LAST UPDATE 10/1/2022



LOCAL RULE 00 | BASIC INFO

Carlos A. Rodriguez
Circuit Court Judge
Seventeenth Judicial Circuit
in and for Broward County,
Florida



Broward County
Courthouse
201 S.E. 6th Street,
Room **14-127**/Courtroom
14-175
Fort Lauderdale, FL
33301
(954) 831-6362
Judicial Assistant:
Lizette Marciniak

TEMPORARY CORONA VIRUS PROCEDURE IN EFFECT

- **See, ADMINISTRATIVE ORDER AOSC 21-17, AMENDMENT 31**
- **REGARDING EMAILS TO THE COURT:**
 - DO NOT ASK FOR RELIEF FOR ANY MATTER BY EMAIL TO THE JUDGE - FILE THE APPROPRIATE MOTION.
 - DO NOT INVOLVE THE JUDGE BY COPY OF YOUR EMAIL IN YOUR DISPUTES: FILE A MOTION, PRESENT IN COURT. See, F.S. 57.105(1).
 - **EXCEPTIONS - EMERGENCY MOTIONS:**
 - Follow Administrative Order, 2021-50-Civ.
 - Use the Emergency Form.
 - Email a copy of the form and emergency motion to: DIV14@17th.FLCourts.org.
- The Court will decide if a hearing is warranted.
- **DO NOT MAIL OR EMAIL ANY DOCUMENTS OR ORDERS:**
- All documents must be uploaded through CMS.
 - **EXCEPTION:** Motion for Rehearing/Reconsideration
 - Please email a copy to Div14@17th.FLCourts.org
 - All Proposed Orders and Agreed Orders are to be submitted electronically through CMS.
 - Go to <http://www.17th.FLCourts.org>.
 - COURTESY COPIES: Upload memorandum or related papers as "Supporting Documents" through the CMS portal.

LOCAL RULE 01 | COURT APPEARANCES

- All Motion Calendar, Case Managements, LOP's Calendar Call and Special Set hearings will be heard by using Zoom.
- Nonjury trials and Evidentiary hearings shall use Zoom unless otherwise ordered by the Court. For help, see the below link:
 - o <https://legalfuel.com/wp-content/uploads/2021/04/TFB-Best-Practices-Guide-For-Remote-Court-Proceedings-2.pdf>

By attending a hearing on zoom, all participants are advised that they are consenting to the Court's audio or video recording to be decided by the Judge.



LOCAL RULE 02 | HEARINGS

1) All persons present for a hearing will clearly and slowly announce their appearance: attorneys, court reporters, witnesses, notaries, interpreters etc.

2) The attorney who calls a witness must make arrangements to have the interpreter, court reporter and witness appear via Zoom.

3) Prior to the hearing, all exhibits shall be uploaded as "Supporting Documents" for the hearing/motion through the CMS portal. Agreed or Joint Exhibits shall be so titled. Opposed Exhibits shall be titled Proposed Defendant or Plaintiff's Exhibit and be prepared to lay a predicate for their admission. Use Bates numbers on all pages of all exhibits for identification.

See Administrative Order 2022-31-Gen, See Section II ADMISSION OF EVIDENCE for marking of exhibits. ALL EVIDENCE MUST BE PREMARKED with numbers.

4) The Court will no longer accept hard copies of motions and related papers. Upload memorandum or related papers as "Supporting Documents" for the hearing/motion through the CMS portal.

5) Hearings may only be canceled by the judge or use of Local Rule 10A.

6) Zoom requires extra courtesy. Wait until whoever is speaking stops before speaking, use only one audio source to avoid an echo, and stay muted until it is your turn to talk to avoid background noise.

Alternatives are Available:

If the parties file a written stipulation and notify the Court, they can waive their appearance and have the Court decide the issue on written motion and memorandum.

Upon request or sua sponte the Court may set Nonbinding Arbitration.

Court Call Access for Hearings: call them in advance to schedule at 888-882-6878 or scheduling online at www.courtcall.com



Judge Rodriguez Instructions to schedule a ZOOM Video Hearing:

CARLOS RODRIGUEZ is inviting you to a scheduled Zoom meeting.

<https://17thFLCourts.zoom.us/j/277567705> (Click on this link)

Meeting ID: 277 567 705

**** NOTE NEW TOLL- FREE NUMBERS ****

(888) 475-4499 US Toll-free

(833) 548-0276 US Toll free

(833) 548-0282 US Toll-free

(877) 853-5257 toll-free

Find your local number: <https://17thFLCourts.zoom.us/j/aJ0tiuv1V>

PLEASE SEE DIVISION 14 PROCEDURES NEXT



LOCAL RULE 03 | COURT-ORDERED PROCEDURES

ALL LITIGANTS need to be aware of A.O.S.C. 20-23, 12th Amendment, (April 13, 2021) and the Proposed changes to the Fla. R. Civ. P. The Florida Supreme Court and Chief Judge have ordered that CMC Orders, scheduling orders and trial orders be strictly enforced and this Court intends to comply. Litigants are so advised herein and shall be prepared each and every instance where they have not complied with a Court order to discuss the criteria for sanctions per [*Kozel v. Ostendorf*, 629 So.2d 817 \(Fla. 1993\)](#). [1 - was the disobedience willful, deliberate or contumacious, rather than neglect, 2 - any previous sanctions, 3 - was the client involved in the disobedience, 4 - prejudice to opposing party, 5 - was there a reasonable justification, 6 - did the delay created significant problems of judicial administration.] See, [*Massey v. Thomas*, 4D21-2125 \(Fla. 4th DCA July 20, 2022\)](#).



LOCAL RULE 04 | ON-LINE SCHEDULING

All Motion Calendar and Special Sets, 60 minutes or less, are scheduled online via Court Management System (CMS). Please visit www.17th.FLCourts.org and click on the online scheduling link.

A. MOTION CALENDAR:

Pursuant to Local Rule 10(A), Motion Calendar is held Monday through Thursday at 8:45 A.M. unless otherwise blocked or cancelled by the judge due to other matters. The Judge usually takes the bench between 8:45 and 9:00 A.M. Please use this time to talk and resolve issues.

1) To comply with Rule 10(A), every party or attorney setting a motion for hearing shall execute the following certification:

I hereby certify that,

a. I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing and

b. The issues before the Court may be heard and resolved by the court within five (5) minutes.

c. All requests for discovery sanctions per Rule 1.380 must comply with [*Federal Express Corp. v. Simms*, 265 So. 3d 637 \(Fla. 4th DCA 2019\)](#).

2) No more than two motions may be noticed for a case on a motion calendar

3) All motions will be heard in the order in which the parties arrive and when all parties are present or an explanation provided for the absence.

4) As required, the parties shall speak to discuss the noticed motion and resolve issues before the date of the hearing and again at 8:45 AM before argument.

5) Please be prepared to discuss with the Court substantive and notice issues.

6) Take the time to meet with your opponent and agree to as much as you can prior to the court date. If your opponent does not show up to the Motion Calendar, it is



your responsibility to call and find out why they didn't show and advise the Court.

7) Canceling Hearings:

a. It is the Noticing Party's responsibility to timely cancel hearings online and open the time slot and to notify the Court and all interested parties (except for the cancellation of trial setting).

b. Filing a Notice of Cancellation is not sufficient. The Court retains jurisdiction to enforce by sanction violation of this order.

c. Non-setting party must confirm with the Noticing Party, not the Court, whether or not the case is moving forward or cancelled.

8) Add On Hearings:

a. Must be agreed to by all parties and will be heard only for the time allotted: both sides get equal time.

b. Please include a copy of the original online schedule receipt along with the add-on hearing notice and added motion.

9) DO NOT SEND COURTESY COPIES TO CHAMBERS.

10) Help:

a. If you have any difficulty with Online Scheduling please send an e-mail to: calendar@17th.FLCourts.org and provide a description of the issue.

B. SPECIAL SET HEARINGS:

1) 15 and 30 minute Special Set hearings are scheduled online through the Court Management System (CMS). Please visit www.17th.FLCourts.org and click on the online scheduling link.

2) Slots will reopen as attorneys cancel hearings, so keep checking if you need an earlier date.

3) Do not attempt to set hearings longer than 30 minutes by trying to piggyback two or more 30 minute hearings.



4) Canceling Hearings:

- a. Except for the cancellation of trial setting, It is the Noticing Party's responsibility to timely cancel hearings online and to notify the Court and all interested parties. Open time slots are desperately needed!!
- b. Filing a Notice of Cancelation is not sufficient.
- c. The Court retains jurisdiction to enforce by sanction violation of this order.
- d. Non-setting party must confirm with the Noticing Party, not the Court, whether or not the case is moving forward or canceled.

5) Courtesy Copies: Upload memorandum or related papers as "Supporting Documents" for the hearing/motion through the CMS portal.

6) Add On Hearings:

- a. Must be agreed to by all parties and will be heard only for the time allotted: both sides get equal time.
- b. Please include a copy of the original online schedule receipt with the add-on hearing notice and added Motion.

7) Help:

- a. If you have any difficulty with Online Scheduling please send an e-mail to: help@17th.FLCourts.org and provide a description of the issue.

C. SPECIAL SET HEARINGS 45 MINUTES OR MORE:

Any matters needing a lengthier hearing will need to be set on a Calendar Call docket for purposes of scheduling a future hearing date. Please follow the procedures below:

- 1) Choose a Calendar Call date that is agreed upon by both parties.



2) EMAIL DIV14@17TH.FLCOURTS.ORG WITH THE CALENDAR CALL DATES AGREED UPON BY ALL PARTIES, ALONG WITH HOW MUCH TIME IS NEEDED AND WHAT MOTION NEEDS TO BE SET.

3) At the Calendar Call the Judge will set the hearing during the 3week trial docket.

4) Both sides need to be present at the Calendar Call and must bring their schedule for that trial period.

5) If you need to cancel the Calendar Call date, reset it or it's no longer needed, please contact the Judicial Assistant to remove it from the docket.

6) Calendar Calls online that appear full apply as full only for the trials. To schedule a special set hearing you can select any Calendar Call date and then follow the procedure.

D. INTERPRETERS-COURT RELATED TRANSLATION FROM A FOREIGN LANGUAGE:

Fla. R. Jud. Admin. 2.560 is the applicable rule which will be enforced by the Court. A Certified, Language Skilled or provisionally Approved Interpreter in that order of preference will be required for all Court related translations.



LOCAL RULE 05 | NOTICE FOR TRIAL

A. Once a date has been coordinated with opposing counsel, the Trial Order needs to be processed using the online scheduling system (CMS). Schedule your case for the agreed upon Calendar Call date and the system will generate the Trial Order and forward to the Judge for signature. Please note that your Trial Order will not appear on your screen. Once the Judge has signed the order, it will be emailed to all the parties on the service list. Sua Sponte or at CMC the Court may set trial and Calendar Call.

2023 NON-JURY AND JURY TRIAL DOCKET SCHEDULE**Calendar Call @ 10:30 A.M**

<u>CALENDAR CALL</u>	<u>TRIAL WEEK DOCKET</u>
JAN 3, 2023	JAN 9 - JAN 31, 2023
FEB 6, 2023	FEB 13 - MAR 3, 2023
MAR 6, 2023	MAR 13 - MAR 31, 2023
APR 10, 2023	APRIL 17- APR 28, 2023
MAY 1, 2023	MAY 8- MAY 27, 2023
JUNE 5, 2023	JUNE 12- 30, 2023
JULY 10, 2023	JULY 17-AUG 4, 2023
AUGUST 7, 2023	AUG 14-SEPT 1, 2023
SEPTEMBER 11, 2023	SEPT 18-SEPT 29, 2023
OCTOBER 9, 2023	OCT 16- NOV 3, 2023
NOVEMBER 6, 2023	NOV 13-NOV 30, 2023

B. If there is no Calendar Call date available or you want your case set sooner, schedule a hearing on a Motion Calendar for a Motion to Set Trial.

C. If the case is rolled over or reset, the Judicial Assistant will reschedule the Calendar Call/Trial Date online and the Attorneys will receive the new Trial Order resetting the trial date via e-mail. The deadlines in the original trial order will apply, unless the Judge orders otherwise.



D. If the case is taken off the docket, the attorneys are responsible for issuing a new trial order when the case is at issue and ready.

E. When a case is set for trial during a hearing, the Court Order does not put the case on the ordered Calendar Call date. After the Court approves the date in an order, Counsel is required to go to CMS Online and schedule the Calendar Call to generate the Trial Order.

F. Longer or complicated trials:

1. For trials longer than 4 trial days or particularly complicated or if you have out-of-town parties or witnesses, file a motion asking for a Case Management Conference.

G. Trial Order Errors:

1. If a Non-Jury trial is selected and it is a Jury Trial (or vice versa), alert the Court at Calendar Call. CMS will not allow editing.

H. No motions of any kind will be heard at the time of Calendar Call.

I. Attendance at Calendar Call by the persons trying the case is mandatory and subject to sanctions for non-appearance.

J. Stay in contact with the other scheduled trial attorneys ahead of you for trial.

K. The Court will give the case a priority number and give preference to the week(s) you prefer but unless otherwise excused by court order, you must be available the entire trial period.

L. TRIAL POOL AND TRIAL DOCKETS:

1. If your case is not selected as the first case for trial at the Calendar Call, it is very likely that your case will go into the trial pool to possibly be heard by another Judge. Expect your case to roll into subsequent dockets as needed for trial.

2. ORDER - Establishing the Civil Trial Pool is A.O. 2017-34-Civ. Attorneys and litigants who are on a trial docket, unless excused or continued, shall be prepared to commence trial with a two (2) hour notice from the assigned circuit civil trial pool judge.



LOCAL RULE 06 | COURT ORDERS

A. E-ORDERS:

- 1) Electronic Agreed Orders, Judgments and Proposed Orders can be uploaded through the Court Management System (CMS). Attach supporting documents as appropriate.
- 2) The sender must certify the submitted order is Agreed by all parties and does not otherwise require a hearing per the Fla. R. Civ. P.
- 3) The Court will not sign a proposed E-ORDER unless paragraph 1 of the order states "The opposing party will be submitting their own competing proposed order" [if the opposing party "will not" be submitting a proposed order, paragraph 1 must so state]. A misrepresentation by counsel or a party regarding whether a competing order will be submitted may be subject to sanctions.
- 4) All supporting documents must be attached to the Proposed Order or the order will be rejected.
- 5) When uploading Orders on Motion for Default Final Judgment, please make sure all supporting documents are attached or the order will be rejected and will need to be set for Motion Calendar. (See # 10 below).
- 6) The Court reserves the right to reject any order, to set the matter over for hearing, and disfavors agreed orders continuing trial or special set hearings.
- 7) Help: Should you have any problems or concerns, please contact via email, scheduling@17th.FLCourts.org



LOCAL RULE 07 | EX-PARTE MOTIONS

A. Please follow the instructions provided in the local Rule, The Florida Rules of Civil Procedures (see Rule 1.610) etc, and the Rules Regulating the Florida Bar.

B. For judgments on liquidated damages, the Court requires proof of service, evidence of the debt, the complaint and Notice of Hearing for Entry of Judgments.



LOCAL RULE 08 | MOTIONS TO WITHDRAW

A. Follow Administrative Rule, 2021-50-Civ. Use the form required and the Court will decide whether to set a hearing. (SEE, ADMINISTRATIVE ORDER AOSC 21-17, AMENDMENT 2)



LOCAL RULE 09 | MOTIONS FOR REHEARING/RECONSIDERATION

Follow Administrative Order, 2017-33-GEN. in that the Party shall not set the hearing: The Court will decide whether to set a hearing. EMAIL A COPY TO DIV14@17TH.FLCOURTS.ORG See, Fla. R. Civ. P. 1.530(b).



LOCAL RULE 10 | MOTION FOR CONTINUANCES

All motions for continuance of trial must be set on a Motion Calendar Docket. **Continuance are disfavored** and can only be granted upon a showing and finding in the order of GOOD CAUSE!! Witness or expert issues or conflicts with other cases, unless you are called to trial elsewhere, are all not good cause. See, A.O.S.C 20-23, start at Page 16.



LOCAL RULE 11 | MOTIONS FOR DEFAULT FINAL JUDGMENT

A. When sending electronically to the Court, make sure all supporting documents are attached, ie, motion, default and proof of service. (A clerk's default is insufficient).

B. The Court's first question is always proof of service. The second is to prove notice was provided for the hearing.

C. If unopposed, and you are moving for the entry of a Default Final Judgment pursuant to Fla. R. Civ. P. 1.500 (e), and are seeking any relief beyond well-pled liquidated damages, please see [*Minkoff v. Caterpillar Financial Services Corp.* 103 So.3d 1049, 2013 WL 85438, 4D11-3210 \(Fla. 4th DCA 2013\)](#).

D. Attorney's fees and other un-liquidated damages will require a properly noticed Evidentiary, Summary Judgment Hearing or trial on damages.

E. If you are seeking liquidated damages and do not believe an evidentiary hearing is necessary and for judgments on liquidated damages, the Court requires:

- 1) Submission of Proof of Service, evidence of the debt with Affidavit, the Complaint and Final Judgment. (A clerk's default is insufficient)

- 2) Please send self-addressed stamped envelopes for all parties when needed.

F. The Court will not enter a final judgment without a hearing if there are any pending motions in the case or if there are questions about the submitted paperwork.



LOCAL RULE 12 | IF YOU REPRESENT YOURSELF

A. You must submit all requests to the Court in writing and simultaneously provide a copy to the attorney representing the other side. The Court will decide whether to set a hearing and the Court date and time.

B. The Judicial Assistant is not a lawyer and handles scheduling only, therefore, do not call and ask for advice on what to file or how to prepare anything.

C. The Clerk's office on the 4th floor may be able to help you on certain matters and can help you with their forms.



LOCAL RULE 13 | TRIAL EVIDENCE: RETRIEVING EXHIBITS FROM EVIDENCE

Contact the Evidence Room at least 48 hours in advance of the date needed. First, contact: Evidence Manager at (954) 831-5537 or call the main number for the Evidence Room: (954) 831-5539.



LOCAL RULE 14 | CASE MANAGEMENT CONFERENCES

A. Fla. R. Civ. P. 1.200(a) and (b), if you are ordered to appear in court at a case management conference, your court appearance is **MANDATORY**, unless an Order of Dismissal is entered prior to the hearing.

B. Failure to appear at a case management conference without good cause may result in sanctions, including dismissal, default or striking of pleadings per Rule 1.200(c) and AOSC 20-23.



LOCAL RULE 15 | LACK OF PROSECUTION (L.O.P.)

Fla. R. Civ. P. Rule 1.420(e) Notice of No Record Activity.

A. If you have received the notice of no record activity from the clerk or Court, your case will be set for a hearing 60 days thereafter, and notice is herein provided that said hearing is also a Fla. R. Civ. P. 1.200(b) Case Management Conference (CMC), which could subject the missing party or counsel to dismissal of the claim or defense or other sanction for failure to appear per Fla. R. Civ. P. Rule 1.200(c).

B. If a Plaintiff or Defendant no longer wishes to move forward with the case or a defense, please try to resolve the issue before the L.O.P. order is entered.



LOCAL RULE 16 | SETTLED CASES

the order of dismissal title must include:

- A. "FINAL ORDER OF DISMISSAL AND CLOSING FILE" and be submitted with the form in Fla. R. Civ. P. 1.998.



LOCAL RULE 17 | ALL FORECLOSURE CASES

A. Is your worksheet completed? Please answer the following questions in the motion:

- 1) How were the parties served and show proof of service and notice of hearing?
- 2) If there was a substitution of plaintiff, a supplemental or amended pleading is required for a transaction post complaint (Rule 1.190(d))?
- 3) Have all of the parties answered or been defaulted?
- 4) If there are Affirmative Defenses, are they addressed by the Affidavit of Indebtedness (AOI)?
- 5) Does the AOI comply with F.S. 90.803(6) and [Yisrael v. State, 993 So.2d 952, 956-958 \(Fla. 2008\)](#)? Are the business records attached?
- 6) If there was a change in servicers, is there an Affidavit for the business records of each servicer?
- 7) If the complaint pleads that there is an "owner" other than plaintiff, is there some proof regarding the authorization of the plaintiff to act on behalf of the "owner"?
- 8) If the complaint pleads a "lost note" count and the note is no longer "lost" was the complaint amended, [Feltus v. U.S. Bank, 80 So.3d 375 \(2d DCA 2012\)](#)?
- 9) Is the original note with all allonges present so it can be cancelled? Does it run to the plaintiff or is it endorsed in blank? Does it match the copy attached to the complaint?



LOCAL RULE 18 | EX-PARTE COMMUNICATIONS

Please do not ask this Court's Judicial Assistant or other court personnel to communicate any message to the judge. This is a prohibited ex-parte communication. The court's staff is not permitted to relay ex-parte information to the judge.



LOCAL RULE 19 | TRIAL CONDUCT AND COURTROOM DECORUM

Voir Dire Time Limitations: For most jury trials, the Court orders prospective juror panels of 25 jurors. The panel answers a juror questionnaire that is provided to all parties when the panel arrives for voir dire and the Court will then ask general questions of the panel. The Court will limit the time for voir dire so that each side will have one hour to question jurors. By written motion filed at least 30 days before the first scheduled calendar call, a party may request additional time upon showing that the facts of the particular case are complicated or warrant more time.

A. A Lawyer should always deal with parties, counsel, witnesses, jurors or prospective jurors, court personnel and the judge with courtesy and civility and avoid undignified or discourteous conduct which is degrading to the court.

B. Be punctual and prepared for any court appearance.

C. Stand as the Court is opened, recessed or adjourned; when the jury enters or retires from the courtroom; and when addressing, or being addressed by the court.

D. Examination of jurors and witnesses should be conducted from a suitable distance. A lawyer should not crowd or lean over the witness or jury and during interrogation should avoid blocking opposing counsel's view of the witness.

E. Counsel should address all public remarks to the court, not to opposing counsel.

F. A lawyer should avoid disparaging personal remarks or acrimony toward opposing counsel.

G. Counsel should refer to all adult persons, including witnesses, other counsel, and the parties by their surnames and not by their first or given names.

H. Only one attorney for each party shall examine, or cross examine each witness. The attorney stating objections, if any, during direct examination, shall be the attorney recognized for cross examination.

I. Counsel should request permission before approaching the bench. Any documents counsel wishes to have the court examine should be handed to the clerk.

J. Have the clerk pre-mark the potential exhibits



K. Any paper or exhibit not previously marked for identification should first be handed to the clerk to be marked before it is tendered to a witness for examination. Any exhibit offered in evidence should, at the time of such offer, be handed to opposing counsel.

L. In making objections, counsel should state only the legal grounds for the objections and should withhold all further comment or argument unless elaboration is requested by the court.

M. Generally, in examining a witness, counsel shall not repeat or echo the answer given by the witness.

N. Offers of, or requests for, a stipulation should be made privately, not within the hearing of the jury, unless the offer or knows or has reason to believe the opposing lawyer will accept it.

O. In opening statements and in arguments to the jury, counsel shall not express personal knowledge or opinion concerning any matter in issue.

P. Counsel shall admonish all persons at the counsel table that gestures, facial expressions, audible comments, or the like, as manifestations of approval or disapproval during the testimony of witnesses, or at any other time, are absolutely prohibited.

Q. During trial and evidentiary hearings, the lawyers should mutually agree to disclose the identities, and duration of witnesses anticipated to be called that day and the following day, including depositions to be read with deposition designations provided to opposing counsel at least 48 hours before tendering to the Court or jury and should cooperate in sharing with opposing counsel all visual-aid equipment.

R. A lawyer should not mark on or alter exhibits, charges, graphs, or diagrams without opposing counsel's permission or leave of court.

S. A lawyer should abstain from conduct calculated to detract or divert the fact-finder's attention from the relevant facts or otherwise cause it to reach a decision on an impermissible basis.

T. A lawyer's word should be his or her bond. The lawyer should not knowingly misstate, distort, or improperly



exaggerate any fact or opinion and should not improperly permit the lawyer's silence or inaction to mislead anyone.

U. A charge of impropriety by one lawyer against another in the course of litigation should never be made except when relevant to the issues of the case.

V. A lawyer should not pay, offer to pay, or acquiesce in the payment of compensation to a witness contingent upon the content of his testimony or the outcome of the case. A lawyer, however, may advance, guarantee or acquiesce in the payment of:

- 1) Expenses reasonably incurred by a witness in attending or testifying;
- 2) Reasonable compensation to a witness for his lot time in attending or testifying;
- 3) A reasonable fee for the professional services of an expert witness.

W. In appearing in their professional capacity before a tribunal, a lawyer should not:

- 1) State or allude to any matter that he or she has no reasonable basis to believe is relevant to the case or that will not be supported by admissible evidence;
- 2) Ask any questions that he or she has no reasonable basis to believe is relevant to the case and that is intended to degrade a witness or other person;
- 3) Assert one's personal knowledge of the facts in issue, except when testifying as a witness;
- 4) Assert one's personal opinion as to the justness of a cause, as to the credibility of a witness, as to the culpability of a civil litigant, or as to the guilt or innocence of an accused; but may argue, on the lawyer's analysis of the evidence, for any position or conclusion with respect to the matters stated herein.

X. A question should not be interrupted by an objection unless the quest is patently objectionable or there is reasonable ground to believe that matter is being included which cannot properly be disclosed to the jury.



Y. A lawyer should address objections, requests and observations to the court and not engage in undignified or discourteous conduct which is degrading to court procedure.

Z. Where a judge has already made a ruling in regard to the inadmissibility of certain evidence, a lawyer should not seek to circumvent the effect of that ruling and get the evidence before the jury by repeated questions relating to the evidence in question, although he is at liberty to make a record for later proceedings of his ground for urging the admissibility of the evidence in question. This does not preclude the evidence being properly admitted through other means.

AA. A lawyer should not attempt to get before the jury evidence which is improper.

BB. A lawyer should scrupulously abstain from all acts, comments and attitudes calculated to curry favor with any juror, by fawning, flattery, actual or pretended solicitude for the juror's comfort or convenience or the like.

CC. A lawyer should never attempt to place before a tribunal, or jury, evidence known to be clearly inadmissible, nor make any remarks or statements which are intended to improperly influence the outcome of any case.

DD. A lawyer should accede to reasonable requests for waivers or procedural formalities when the client's legitimate interest is not adversely affected.

EE. Attorneys should not knowingly misstate, misrepresent, distort any fact or legal authority to the court or to opposing counsel and shall not mislead by inaction or silence.

Furthermore, if this occurs unintentionally and is later discovered, it should immediately be disclosed or otherwise corrected.

[Revised: 09-29-2009].



ALL LITIGANTS ARE ADVISED THAT FAILURE TO FOLLOW THIS COURT ORDER, ANY CMC, ANY SCHEDULING, ANY DISCOVERY DEADLINES OR OTHER ORDERS BY THE COURT, ABSENT GOOD CAUSE, MAY SUBJECT THE OFFENDING PARTY TO SANCTIONS. See, A.O.S.C 20-23, 12th Amendment, April 13, 2021 and [Kozel v. Ostendorf, 629 So.2d 817 \(Fla. 1993\)](#). [1 - was the disobedience willful, deliberate or contumacious, rather than neglect, 2 - any previous sanctions, 3 - was the client involved in the disobedience, 4 - prejudice to opposing party, 5 - was there a reasonable justification, 6 - did the delay created significant problems of judicial administration.] See, [Massey v. Thomas, 4D21-2125 \(Fla. 4th DCA July 20, 2022\)](#).

It is Hereby Ordered by the Court that all parties and their counsel shall comply with the Division 14 requirements for motions, hearings, orders and trials as stated herein.

DONE AND ORDERED in chambers, in Ft. Lauderdale, Broward County, Florida this 21st day of JULY, 2022.

_____/s/____

Carlos A. Rodriguez

Circuit Court Judge

LOCAL RULE 20 | IMPORTANT JUDICIAL DISCLOSURES

As a matter of Disclosure, since 2017 and from Hurricane Irma, the judge and his wife had the following Insurance claims that all have settled:

GEICO claims for wife'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 has an ownership interest in an out of county LLC that settled a Hurricane Irma windstorm claim in 2018 with Philadelphia Insurance Companies.



LOCAL RULE 21 | ADDENDUM

THE USE OF ELECTRONIC EQUIPMENT IN THE COURTROOMS:

<http://www.17th.FLCourts.org/index.php/self-help/court-tutorials/evidence-presentation-system>

SAMPLE ORDERS USED BY THE COURT: (PLEASE EMAIL THE COURT FOR A COPY AT DIV14@17TH.FLCOURTS.ORG)

- A. Form Order Attorney's Fees Scheduling Entitlement Determination
- B. Form Order Attorney's Fees Scheduling No Entitlement
- C. Standard CMC Order
- D. Arbitration Order



APPENDIX



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