

LOCAL RULE 48 | MOTIONS FOR DEFAULT FINAL JUDGMENT

A hearing may not be required if you have plead a specific dollar amount in the complaint. Please include a copy of the portion of the complaint that states the specific dollar amount with your AOI. If you are seeking any relief beyond well-pled liquidated damages a hearing is required, [Minkoff v. Caterpillar Financial Services Corp., 103 So.3d 1049, 2013 WL 85438, 4D11-3210 \(Fla. 4th DCA 2013\)](#). Attorney fees and other unliquidated damages will require a hearing. Quiet Title and Partition actions require an affidavit or certified copy of the deed upon which you rely.

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

(2). The Court's first question is always proof of service. The second is proof notice provided for the hearing.

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

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

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

(5). 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 and the matter would then need to be set.

