

LOCAL RULE 46 | MOTIONS FOR DEFAULT FINAL JUDGMENT

A hearing may not be required if you have pleaded 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.

- 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).
- The Court's first question is always proof of service. The second is proof notice provided for the hearing.
- 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.
- If you are seeking liquidated damages and do not believe an evidentiary hearing is necessary and for judgments on liquidated damages, the Court requires:
- **Submission of Proof of Service**, evidence of the debt with Affidavit, the Complaint and Final Judgment. (A clerk's default is insufficient)

(6) 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.

