



**BROWARD COUNTY LOCAL RULES OF COURT
DIVISION “25” (AFRICK-OLEFSON)
(ALL-IN-ONE)**

{LAST UPDATED: 1/17/2023}

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TABLE OF CONTENTS | FL | BROWARD COUNTY | DIVISION 25

Rule	Caption	Page
00	<i>Basic Info</i>	7
01	<i>Clerk of Court</i>	8
02	<i>CMS</i>	9
03	<i>Removal of Servicing Parties from the State Portal</i>	10
04	<i>E-Filing Portal</i>	11
05	<i>Uniform Motion Calendar</i>	12
06	<i>Supporting Documents Materials</i>	13
07	<i>Self-Represented ("Pro Se") Parties</i>	14
08	<i>Pro Se Registration Form</i>	15
09	<i>Online Scheduling</i>	16
10	<i>Unilaterally Online Hearings</i>	17
11	<i>Limits on the Number of Cases</i>	18
12	<i>Add on to an Existing Hearing</i>	19
13	<i>Uniform Case Management</i>	20
14	<i>True Emergency</i>	21
15	<i>Zoom</i>	22
16	<i>Communications with Chambers</i>	23
17	<i>Technology</i>	24

...



...TABLE OF CONTENTS | FL | BROWARD COUNTY | DIVISION 25

Rule	Caption	Page
18	<i>Calendar Call</i>	25
19	<i>Jury Trials/Backup Trials</i>	26
20	<i>Backup Trials</i>	27
21	<i>Court Reporters</i>	28
22	<i>Motion for Summary Judgment</i>	29
23	<i>Case Wishing to Use Zoom (Remote Technology) in Trial</i>	30
24	<i>Exhibits for Non-Jury Trials or Evidentiary Hearings</i>	31
25	<i>Notice for Trial</i>	32
26	<i>Electronic Equipment in the Courtroom</i>	33
27	<i>Trial Evidence</i>	34
28	<i>Trial Order Errors</i>	35
29	<i>Case is Rolled Over or Reset</i>	36
30	<i>Case is Taken Off the Trial Docket</i>	37
31	<i>Settled at Mediation, Stipulation of Dismissal, an Email Advising the Court that the Case Settled</i>	38
32	<i>Notice of Cancellations for UMC and Special Set Hearings</i>	39
33	<i>Another Way to Schedule Special Set Hearings of 2 Hours or More is as Follows</i>	41
34	<i>Notice of Cancellations for UMC and Special Set Hearings</i>	42
35	<i>Supporting Documents</i>	43

...



...TABLE OF CONTENTS | FL | BROWARD COUNTY | DIVISION 25

Rule	Caption	Page
36	<i>Motion for Summary Judgment</i>	44
37	<i>Scheduling Order Attorney Fees & Costs No Entitlement</i>	46
38	<i>Ex-Parte Communications</i>	48
39	<i>Ex-Parte Motions</i>	49
40	<i>Emergency Motions</i>	50
41	<i>Petition for Approval of Minor Settlement</i>	51
42	<i>Writ of Bodily Attachment</i>	52
43	<i>Motions to Withdraw</i>	53
44	<i>Motions for Rehearing/Reconsideration</i>	54
45	<i>Motion for Continuances</i>	55
46	<i>Motions for Default Final Judgment</i>	56
47	<i>Evidentiary Hearings</i>	57
48	<i>Notice of Hearing</i>	58
49	<i>Uploading Orders Electronically</i>	59
50	<i>Agreed Orders</i>	60
51	<i>Disagreement with the Language of the Order</i>	61
52	<i>It Is Not Professional</i>	62
53	<i>Consolidation Orders</i>	63

...



...TABLE OF CONTENTS | FL | BROWARD COUNTY | DIVISION 25

Rule	Caption	Page
54	<i>Transfer Order</i>	64
55	<i>Confidential Paperwork for the Judge to Review</i>	65
56	<i>"In Camera" Inspection of Supporting Documents</i>	66
57	<i>Confidential Pleadings</i>	67
58	<i>Appellate Division</i>	68
59	<i>Lack of Prosecution (Appearance is Mandatory)</i>	69
60	<i>Setting of Case Management by the Parties</i>	70
61	<i>2023 Trial Docket Schedule</i>	71
-	Appendix	72



BROWARD COUNTY RULES OF COURT

DIVISION 25

JUDGE SHARI ALFRICK-OLEFSON

LAST UPDATE 1/17/2023



LOCAL RULE 00 | BASIC INFO

Shari Africk-Olefson
Circuit Court Judge
Seventeenth Judicial Circuit
of Florida



Broward County
Courthouse
201 S.E. 6th Street,
Room **14-155**
Fort Lauderdale, FL
33301
(954) 831-3736
(954) 831-5572

CIRCUIT CIVIL DIVISION (25) PROCEDURES

Chambers Telephone Number: (954) 831-3736

Division Email: div25@17th.FLCourts.org

Courtroom: 14155 (West Tower)

Courtroom Telephone Number: (954) 831-1615

Virtual Zoom Courtroom Link:

<http://17thFLCourts.zoom.us/j/975531891>

Meeting ID: 975531891

Virtual Zoom Courtroom Telephone Number: (888) 475-4499

Judge Africk-Olefson is now assigned to Division 25, effective January 17, 2023. For the time being, Division 25 procedures will remain unchanged

PLEASE READ THE ENTIRE PROCEDURES

IS IT HEREBY ORDERED that all parties and attorneys, if applicable, shall comply with the following division procedures and requirements for motions, hearings, orders, and trials:

LOCAL RULE 01 | CLERK OF COURT

For questions regarding any civil matters, please send an email to CircuitCivileClerk@browardclerk.org. Any questions will be answered through that email address only.



LOCAL RULE 02 | CMS

if you encounter technical difficulties submitting an order or uploading documents to CMS, or any other problem please send an email to calendar@17th.FLCourts.org for further assistance.



LOCAL RULE 03 | REMOVAL OF SERVICING PARTIES FROM THE STATE PORTAL

When an Order is granted on a Motion to Withdraw Attorney of Record, it is the attorney's responsibility to log on to the State Portal and remove his name permanently from the service list <https://MyFLCourtAccess.com/>



LOCAL RULE 04 | E-FILING PORTAL

THIS IS A REMINDER:

when filing any/all letters/documents/pleadings/etc with the Clerk's Office, please DISCONTINUE adding Division 25 to the SERVICE LIST in the e-filing portal.



LOCAL RULE 05 | UNIFORM MOTION CALENDAR: (MONDAY – THURSDAY @ 8:45 A.M.)

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

I hereby certify that,

1. I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing, and
2. The issues before the Court may be heard and resolved by the court within five (5) minutes.

Please Do NOT Send Hard Copies of Motions for UMC!

Division (25) is a PAPERLESS Division.

Parties cannot add-on to an existing UMC hearing unless AGREED to by all parties. Add-ons will only be heard within the allotted time, both sides get equal time. No more than two motions may be noticed for a case on UMC.

Any person scheduling a motion calendar shall set the same a minimum of five (5) days in advance of the hearing. Prior to setting any matter on uniform motion calendar, the party or parties noticing the motion shall attempt to resolve the matter by direct communication with all parties, and shall also certify a good faith attempt to resolve or narrow the issues contained in the motion. Direct communication means by oral or written communication, including by telephone, in person, email, or text messaging.

All time requirements regarding the scheduling of hearings shall be governed by the Florida Rules of Civil Procedure, Florida Family Law Rules of Procedure, or Florida Rules of Judicial Administration, as applicable.

Self-Represented parties may obtain permission to utilize the Online Scheduling System. (see below).



LOCAL RULE 06 | SUPPORTING DOCUMENTS MATERIALS

DO NOT send hard copies of Motions or Materials for UMC or Case Management Hearings unless specifically requested by the Court.

ALL paperwork needs to be uploaded electronically through CMS "Supporting Documents". REMEMBER to upload it at least 3 days before the hearing.



LOCAL RULE 07 | SELF-REPRESENTED ("PRO SE") PARTIES

If you represent yourself, any requests you are making of the Judge needs to be in EMAIL. 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. On some matters, you may be able to go to the Clerk of Court's office on the fourth floor and they can help you with their forms.



LOCAL RULE 08 | PRO SE REGISTRATION FORM

If you represent yourself you can register for CMS by going to:
www.17th.FLCourts.org.

1. Self Help
2. Court Management System Help
3. CMS Manuals
3. New User
4. Prose Registration Form

Fill out the request form and, when accepted, you can view and schedule hearings.



LOCAL RULE 09 | ONLINE SCHEDULING

Please register for the Online Scheduling System and login to: www.17th.FLCourts.org to schedule Uniform Motion Calendar ("UMC"), Special Set Hearings (30 minute or less) ("Special Sets"), and Calendar Call to set the Trial dates. The Court reserves the right to cancel Uniform Motion Calendar or Special Set matters.



LOCAL RULE 10 | UNILATERALLY ONLINE HEARINGS

DO NOT ask the judicial assistant to get involved in the scheduling of unilaterally online hearings. The CMS system was created so that both parties can coordinate the hearings. The judicial assistant is not an arbitrator of your scheduling disputes. Set a hearing on UMC.



LOCAL RULE 11 | LIMITS ON THE NUMBER OF CASES

Judges have limits on the number of cases that can be scheduled using the Online Scheduling System. If you are unable to schedule your matter on a specific date, it is likely because the docket is full and there are no additional time slots available. Please schedule on an alternate date.



LOCAL RULE 12 | ADD ON TO AN EXISTING HEARING

Parties cannot add-on to an existing UMC or Special Set hearing unless AGREED to by all parties. Add-ons will only be heard within the allotted time, both sides get equal time. No more than two motions may be noticed for a case on UMC. If the parties agree to have the motion added, file an Amended Notice of Hearing and notify the judge at the hearing that another motion is added to the hearing.



LOCAL RULE 13 | UNIFORM CASE MANAGEMENT

The case management order you have received is pursuant to the Supreme Court Administrative Order ([AOSC20-23-Amendment-10.pdf](#)), that all cases filed in January 2020 or later must have a trial date. If a trial order is generated, the case management will be cancelled.

If the case is not at issue due to an outstanding motion, the motion **must** be scheduled immediately; however, this does not excuse the parties from case management.

Case management is being scheduled as the case is not scheduled for trial. If the parties choose a calendar call and generate the trial order online, the case management will be cancelled. If the parties elect to enter the trial order, please email Div25 informing us that a calendar call has been elected and I will cancel the case management hearing, but if you don't receive a response from Div25 that the CM has been cancelled, the parties **MUST** appear at the hearing. Sometimes case management is scheduled to ask the parties:

- 1) Why there has been no activity,
- 2) Motions have been filed but there is no hearing schedule, etc.



LOCAL RULE 14 | TRUE EMERGENCY

ALL parties MUST follow [Administrative Order, 2014-32-CIV.](#)

If you have a true emergency, please email Division 25 and **write in the subject area URGENT//EMERGENCY**. The email will be sent to the judge for review.



LOCAL RULE 15 | ZOOM

Please FOLLOW the instructions below to join the Court's ZOOM video conference.

INVITATION AND INSTRUCTIONS TO JOIN JUDGE PHILLIPS' HEARING

DOCKET VIA ZOOM VIDEO CONFERENCE:

THIS ZOOM LINK IS ALWAYS THE SAME

Judge Africk-Olefseon's is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting: <https://17thFLCourts.zoom.us/j/975531891>

Meeting ID: 975 531 891

ALL ZOOM MEETINGS NOW INCLUDE TOLL FREE NUMBERS FOR PARTICIPANTS CALLING IN BY PHONE

Any participants joining Zoom via Phone Numbers, for them to Mute or UnMute themselves they must press *6 on their 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

Meeting ID: 975 531 891

Find your local number: <https://17thFLCourts.zoom.us/u/adieWbD2wt>

Please Note: If you do not wish to appear by video or do not have the technology, you may appear by phone by dialing in with one of the numbers provided above or by finding your Local Number and using the Meeting ID Code.

For help joining a ZOOM Video Conference, please use the following link:

- [Joining a meeting](#)



LOCAL RULE 16 | COMMUNICATIONS WITH CHAMBERS

Please do not ask Judicial Assistant questions on how to proceed with the case, she is not allowed to give any legal advice, and she will not reply to your email or return your call to provide you information/procedures that are listed in the Procedures for Division 25. Therefore, review the procedures carefully before emailing the Judicial Assistant.



LOCAL RULE 17 | TECHNOLOGY

AS TO THE USE OF TECHNOLOGY: Please see AOSC21-17, The Supreme Court (excluding jury selection and trial proceedings) allows for, to the maximum extent feasible, use of equipment for the remote conduct of proceedings to facilitate the efficient and expeditious processing of cases. Therefore, the court, while agreeing to conduct the evidentiary hearing in person, will allow for witnesses to appear remotely, if needed.

AOSC21-17 states that remote jury selection and trial proceedings (witnesses, etc) may be remotely conducted if all parties consent to participating in the remote proceeding. The court will allow for remote proceedings in trial as long as the parties consent.

Further, the court requires that each party is responsible for their own technology. The parties may use the court's zoom link if they wish but they shall each be responsible for setting up the remote conference so that direct and cross examination can be effectuated. The court has conducted a bench trial with some remote witnesses and a jury trial wherein the parties agreed to some remote witnesses and it worked very smoothly. (Please make sure that the witness has the appropriate internet connection as well).



LOCAL RULE 18 | CALENDAR CALL

This is a REMINDER that calendar call is on THURSDAY, JANUARY 12, 2023 at 10:00 a.m. to occur via Judge AFRICK-OLEFSON'S ZOOM link.

A JOINT PRETRIAL STIPULATION MUST BE E-FILED WITH THE CLERK'S OFFICE - FAILURE TO FILE THE PRETRIAL STIPULATION WILL RESULT IN AN ORDER TO SHOW CAUSE

If your case settled,

Submit the Order via CMS Proposed Orders:

FINAL ORDER OF DISMISSAL, a NOTICE OF VOLUNTARY DISMISSAL or a NOTICE OF SETTLEMENT TO REMOVE YOUR CASE FROM THE DOCKET

When the Order is signed. Please send an email to div25@17th.FLCourts.org with a copy of the Order to remove your case from the docket.

The Florida Supreme Court has issued SCAO 20-23, Amendment 10 and 11 that require the trial deadlines be strictly enforced and unavailability of witnesses etc. are no longer viable excuses to continue your case, Preserve testimony for trial as needed!

The parties shall continue to comply with the Uniform Trial Order. Even if this case is unable to go to trial, the parties should have everything ready to go once jurors are able to return. If the parties are agreeable to extending certain deadlines for a short period of time, the court has no objection to the same. But again, ALL outstanding discovery, including outstanding motions should be completed, and the parties are still required to mediate the case.



LOCAL RULE 19 | JURY TRIALS/BACKUP TRIALS

The Pre-Trial Stipulation, Exhibit and Witness List must be filed with the Clerk's Office in accordance with the Uniform Trial Order, VIII (A) and (B).

Per the in-court clerk:

all exhibits should be labeled as ID: A, B, C only.

The Clerk will mark them and give them a number as they are presented into evidence



LOCAL RULE 20 | BACKUP TRIALS

At the calendar call, the Judge will choose the trial to begin number 1 in each week of the trial week docket. If your case is not scheduled as number 1, your case is a back-up trial for the 3-week trial docket. Assistants should ask their attorney what week or weeks the judge scheduled your case for trial.

PLEASE BE ADVISED: The Civil Divisions have a NEW CASE MANAGER UNIT that is assisting with procuring judges to try the back-up cases. **Please do not ask what number your case is on the list,** because that does not matter, all cases that are on the backup list are on one hour notice, unless requested by the attorney at the calendar call that they require a specific amount of time to be notified. The judges who are helping with the pool of back-up cases will choose the Trial they want, depending on their availability. If your case is not reached it will be rescheduled for the next calendar call.

VERY IMPORTANT!! - If your case is sent to the Case Manager Unit as a Backup Trial, that means **NO PENDING MOTIONS, NO CONTINUANCES**. The case is READY TO PROCEED and you are on ONE HOUR NOTICE. If you need more time, be sure you notify the Judge at the calendar call, the Judicial Assistant will take notes. ALL MOTIONS NOT HEARD BEFORE CALENDAR CALL WILL BE DEEMED ABANDONED, OTHER THAN MOTION IN LIMINE, VII(c)(2).



LOCAL RULE 21 | COURT REPORTERS

Plaintiff is responsible for arranging for a court reporter unless IX (o). otherwise agreed. Parties who desire a court reporter for hearings or trials will make the necessary arrangements with the Court Reporter Agency.



LOCAL RULE 22 | MOTION FOR SUMMARY JUDGMENT

MOTIONS FOR SUMMARY JUDGMENT MUST be scheduled for hearing and heard prior to CALENDAR CALL, VII(d) (1) .

REMEMBER:

MOTIONS IN LIMINE MUST be filed and served no later than thirty (30) days prior to CALENDAR CALL and MUST be scheduled for hearing before CALENDAR CALL, see Uniform Trial Order, VII (c) .

EXPERT CHALLENGES (DAUBERT) MUST be filed and served no later than forty- five (45) days before CALENDAR CALL and MUST be scheduled for hearing prior to CALENDAR CALL, VII(b) (3) .



LOCAL RULE 23 | CASE WISHING TO USE ZOOM (REMOTE TECHNOLOGY) IN TRIAL

AOSC21-17 states that remote jury selection and trial proceedings (witnesses, etc) may be remotely conducted if all parties consent to participating in the remote proceeding. The court will allow for remote proceedings in trial as long as the parties consent.



LOCAL RULE 24 | EXHIBITS FOR NON-JURY TRIALS OR EVIDENTIARY HEARINGS

- The Judge needs a courtesy binder for Bench Trials, **if** there are a voluminous amount of Exhibits (25 or more).
- Exhibits must be uploaded to "Supporting Documents"
- Exhibits that are agreed by both sides need to be marked as: Exhibit 1 and so on.
- Exhibits that are opposed need to be marked as ID:
 - for example A, B, C and so on
- Exhibits that exceed 25 exhibits, please go to the 4th floor, Civil Division and ask for Exhibits Labels. (if the Bench Trial is IN PERSON ONLY).
- Pre-Trials Stipulation, Exhibit and Witnesses List must be filed with the Clerk's Office.



LOCAL RULE 25 | NOTICE FOR TRIAL

The Court does not execute the trial orders, the attorneys do. Unless scheduled in Court, the Judicial Assistant will issue the trial order. The procedures are as follows: Once a trial date has been coordinated with the opposing parties or ordered in court during a hearing, the Trial Order needs to be processed using the Online Scheduling System at www.17th.FLCourts.org.

1. Go to CALENDAR
2. Choose SHOW ABILITY
3. Choose MONTH" (right side of the screen)
4. Select Category Type CALENDAR CALL
5. Select CALENDAR CALL (Agreed by all parties)
6. Select Jury or Non-Jury and how many days for trial
7. Submit

Please Note: that the Trial Order will not automatically appear on the docket. Submitting the trial order online sends it directly to the Judge for approval. ONCE IT IS APPROVED, it will be sent to all parties on the electronic service list.



LOCAL RULE 26 | ELECTRONIC EQUIPMENT IN THE COURTROOM

For more information on how to operate the new electronic equipment in the courtroom to be used during hearings and trials, please see:

[Tutorial: Evidence Presentation System](#)

HOW TO UPLOAD A VIDEO TO CMS:

Upload the video to Dropbox

Make the link shareable

Copy the link to a pdf document

Upload the pdf to Supporting Documents for the hearing in CMS



LOCAL RULE 27 | TRIAL EVIDENCE

Please contact the Evidence Room at least 48 hours in advance of the date needed in order to retrieve exhibits from evidence. First, contact: Charles Hall, Evidence Manager at 954-831-5505. If unavailable, then contact the main number for the Evidence Room at 954-831-5539.



LOCAL RULE 28 | TRIAL ORDER ERRORS

If a Non-Jury Trial is selected and it is a Jury Trial (or vice versa), please alert the Court at Calendar Call. The online scheduling system will not allow changes.



LOCAL RULE 29 | CASE IS ROLLED OVER OR RESET

The Judicial Assistant will make the changes through CMS. The reset Trial Order resetting the trial date will be sent to all parties on the electronic service list.

Please Note:

The pretrial procedures contained in the original trial order shall remain in effect and all time limits should be adjusted to the new trial date.



LOCAL RULE 30 | CASE IS TAKEN OFF THE TRIAL DOCKET

The Attorneys are responsible for issuing a new trial order when the case is at issue and ready.



LOCAL RULE 31 | SETTLED AT MEDIATION, STIPULATION OF DISMISSAL, AN EMAIL ADVISING THE COURT THAT THE CASE SETTLED

Parties are reminded that a STIPULATION OF DISMISSAL, MEDIATION REPORT, an EMAIL TO THE DIVISION, and other similar filings, DO NOT close the case. Therefore, a FINAL ORDER OF DISMISSAL, NOTICE OF VOLUNTARY DISMISSAL **MUST** be submitted through CMS for the Judge's signature as soon as is practicable.

THE COURT: will not cancel a Case Management Hearing or Calendar Call until the case is closed with the Clerk's Office.

Another alternative is to send a copy of

NOTICE OF SETTLEMENT TO DIV25:

If the parties agree, the Court may issue a FINAL ORDER AND DIRECTIONS TO THE CLERK TO CLOSE THE CASE stating that the case has been resolved and that

"The Court retains jurisdiction to enforce any settlement entered into by the parties."

That will close the case and the calendar call can be cancelled.

If the parties agree to this Order, send a Notice of Settlement to notify the division by email and this will cancel the scheduled hearing.

LOCAL RULE 32 | NOTICE OF CANCELLATIONS FOR UMC AND SPECIAL SET HEARINGS

When you file a Notice of Cancellation, the judge wants the notice to state the reason for the cancellation.

It is the responsibility of the NOTICING PARTY'S TO TIMELY CANCEL A HEARING through the Online Scheduling System and TIMELY NOTIFY THE COURT of a cancellation.

Filing a Notice of Cancellation, without also cancelling the **Online Scheduling System, is insufficient**; if you do not cancel the hearing online, that time will not be available online for others to schedule their hearings. The Court is not notified by the Clerk of Court! If a hearing is cancelled, please send an email to div25@17th.FLCourts.org, with the copy of the Notice of Cancellation.

DO NOT send hard copies of Motions to the Division, ALL paperwork needs to be uploaded electronically through CMS "Supporting Documents" - any questions please contact division 25.

REMEMBER to upload it at least 3 days before the hearing.

- Documents may be uploaded electronically through CMS.
- Please see: Supporting Documents Training Guide
- You may need to copy this link into a new window:
 - <https://www.youtube.com/watch>

Parties may schedule Special Set hearings for 15 minutes in duration utilizing the Online Scheduling system. Slots do open as hearings are cancelled so keep checking the calendar if you need an earlier date. **Do not attempt to set hearings longer than 15 minutes by trying to piggyback two or more 15 or 30-minute hearings. If the parties want to come IN PERSON both parties must agree. All we ask is that you tell us in advance ONLY if the hearing will be IN PERSON.**

Parties may schedule Special Set hearings for 30 minutes in duration utilizing the Online Scheduling system. Slots do open as hearings are cancelled so keep checking the calendar if you need an earlier date. **Do not attempt to set hearings longer than 30 minutes by trying to piggyback two or more 15 or 30-minute hearings.**

DO NOT send hard copies of Motions to the Division, ALL paperwork needs to be uploaded electronically through CMS "Supporting



Documents" - any questions please contact division 25. REMEMBER to upload it at least 3 days before the hearing.

Send an email to div25 requesting a hearing time and be sure to indicate how much time is needed when sending the email.

DO NOT send hard copies of Motions to the Division, ALL paperwork needs to be uploaded electronically through CMS "Supporting Documents" - any questions please contact division 25. REMEMBER to upload it at least 3 days before the hearing.



LOCAL RULE 33 | ANOTHER WAY TO SCHEDULE SPECIAL SET HEARINGS OF 2 HOURS OR MORE IS AS FOLLOWS

When the court does not have hearing time. The only thing we can do is schedule a hearing at 11:00 am, after a calendar call to try to schedule the hearing. **The motion is NOT going to be heard, it is just TO TRY TO SCHEDULE IT.**

That day at the calendar call, the court will know what trials there are and how many days it will last. Then the court could find time for your motion.

Please follow these procedures.

Calendar Calls online that appear as full would apply as full only for the trials, if you are looking to schedule a special set hearing you can select any Calendar Call date (scroll to the bottom to view calendar call dates) and then follow the procedure.

- 1) Choose a Calendar Call date that is agreed upon by both parties.
- 2) Send an email to Div25 indicating the time period that will be needed for your hearing, the name of the motion, and the calendar call agreed upon by all parties.
- 3) The JA will schedule your hearing on a separate docket at 11:00 am after the calendar call docket.
- 4) At the Calendar Call the Judge will try to set the hearing during the 3week trial docket.
- 5) Both sides need to be present at the Calendar Call and must bring their schedule for that trial period with them.
- 6) If you need to cancel the hearing, reset it or it's no longer needed, please email the division to remove it from the docket.

DO NOT send hard copies of Motions or Materials for Special Set Hearing, unless specifically requested by the Court. ALL paperwork needs to be uploaded electronically through CMS "Supporting Documents". REMEMBER to upload it at least 3 days before the hearing.



LOCAL RULE 34 | NOTICE OF CANCELLATIONS FOR UMC AND SPECIAL SET HEARINGS

When you file a Notice of Cancellation, the judge wants the Notice to state the reason for the cancellation.



LOCAL RULE 35 | SUPPORTING DOCUMENTS

Even if you have not scheduled the hearing, you can upload the documents through "SUPPORTING DOCUMENT" as long as your name is on the service list.



LOCAL RULE 36 | MOTION FOR SUMMARY JUDGMENT

SC20-1490 Opinion - Florida Supreme Court

Pursuant to the recently amended Florida Rule of Civil Procedure 1.510(a)- A party moving for Summary Judgment shall identify each claim or defense - or part of each claim or defense- on which summary judgment is sought.

The moving party shall file a statement of material facts at the time of filing a motion for summary judgment as a separate filing.

Rule 1.510(c)(1) - A party asserting that a fact cannot be or is genuinely disputed must support the assertion by:

(A) citing to particular parts of materials in the record, including depositions, documents, ESI, affidavits, stipulations, admissions, interrogatory answers, or other materials; or

(B) Showing that the materials cited do not establish the absence or presence of a genuine dispute, or that an adverse party cannot produce admissible evidence to support the fact.

Rule 1.510(c)(5) - The supporting materials must be served with the motion and with the response.

By way of example:

Movant's Statement of Facts:

1. Green Acres is a vacant property located at 123 Main Street. (Exhibit 1)
2. John Smith owns Green Acres. (Exhibit 2)

Respondent is Opposing Statement of Material Facts:

1. Green Acres is a vacant property located at 123 Main Street. (Exhibit 1)

Admitted that Green Acres is located at 123 Main Street. (Exhibit Denied that the property is vacant. (Exhibit 5)

2. John Smith owns Green Acres. (Exhibit 2)

Denied as phrased. Admitted that the last recorded deed to Green Acres names John Smith. (Exhibit 2)



Rule 1.510(d) - requires an Affidavit or Declaration stating specific reasons when facts are unavailable to the no movant party.

Remember, Rule 1.510(b), requires the motion be served at least 40 days before the time fixed for the hearing, and Rule 1.510(5) requires no movant to serve a response at least 20 days before the time fixed for the hearing.



LOCAL RULE 37 | SCHEDULING ORDER ATTORNEY FEES & COSTS NO ENTITLEMENT

Plaintiff's Motion for Attorney Fees is pending before this Court. Counsel for the parties are hereby ordered to comply as follows:

1. The parties, through counsel, shall initially either agree, or resolve to disagree, on any and all entitlement issues arising out of the pending Motion for an Award of Attorney's Fees/Costs. The Court will hear arguments and decide the movant's entitlement to fees before scheduling a hearing to resolve any disputes as to the proper amount of any fees or costs.
2. Within ten (10) days of issuing the Order of Entitlement to Attorney Fees, the moving party shall provide opposing counsel with a copy of all invoices, time records, cancelled checks, records evidencing services rendered, the name, address and C.V. of their expert witness, and any other supporting documentation (which may be the entire file other than the records kept in the Court file and any transcripts) for the fees and costs requested.
3. Within fifteen (15) days of receiving the movant's disclosures, the non-moving party shall respond in writing to each line item of cost and fees. The Response shall agree to each item in whole or in part, or state the legal and factual basis for any objection of the whole or part in question, provide the name, address and C.V. of their expert, and cite any supporting legal authority. If there is an agreement as to the entitlement in part to a particular fee/cost item, but disagreement with the total amount requested, the nonmoving party shall state the amount believed to be reasonable.
4. Within fifteen (15) days of receipt of the agreements, objections and disclosures, the moving party shall reply in writing to each objection, either agreeing with the objection, or if not, citing any contrary legal authority.
5. The attorneys for all interested parties shall meet and review the disputed items, reduce any stipulations to writing, and provide the Court with an Agreed Order. Thereafter, the experts may be deposed.
6. The parties and counsel are directed to exercise good faith in complying with the terms of this Order. The Court will first consider Motions to Compel Compliance with this Order,



and if necessary may then consider Motions for Sanctions with regard to unreasonable delays, requests for fees and/or costs, any untenable objections thereto, or any other failure to follow any Order Compelling Compliance.

7. Upon request by either party or the Court, this matter may be referred to mediation.

8. The hearing to determine the amount of fees/costs to award shall not take place until all counsel file a certification with the Court that all discovery in connection with all fee/cost issues, has been completed. Any lack of cooperation regarding certification or discovery shall be brought to the Court's attention as soon as possible by way of Motion to Compel Compliance with the Scheduling Order.

LOCAL RULE 38 | 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 prohibited ex-parte communication. The Court's staff is not permitted to relay ex-parte information to the Judge.



LOCAL RULE 39 | EX-PARTE MOTIONS

Please follow the instructions provided in Local Rule 10, the Florida Rules of Civil Procedure (see Rule 1.610), and the Rules Regulating the Florida Bar. For judgments on liquidated damages, the Court requires proof of service, evidence of the debt, the complaint, and notice of hearing for entry of judgment. Orders uploaded to CMS for signature shall include the Motion in supporting documents.



LOCAL RULE 40 | EMERGENCY MOTIONS

ALL parties MUST follow [Administrative Order, 2014-32-CIV](#). Please submit the form required and the Court will decide whether to set a hearing



LOCAL RULE 41 | PETITION FOR APPROVAL OF MINOR SETTLEMENT

Motions for Approval of Minor Settlement. The Court reviews all motions/responses. Any responses must be received by our office at least five (5) days before the hearing. The Court requires the parent(s) present at the hearing and a report from the Guardian Ad Litem.



LOCAL RULE 42 | WRIT OF BODILY ATTACHMENT

When you upload the Writ to CMS for electronic signature, as soon as you receive the confirmation copy signed by the judge, you must take that copy to the clerk's office for certification, also bring three (3) copies of the Writ with you, the Clerk's office is not making copies.



LOCAL RULE 43 | MOTIONS TO WITHDRAW

Unless a New Lawyer is substituting as attorney, a Motion to Withdraw must be set for a hearing on UMC, with notice to all parties. If the motion is GRANTED, the attorney withdrawing must upload a Proposed Order and the Proposed Order must include a paragraph that says:

ALL FUTURE CORRESPONDENCE FOR [PARTY] SHALL BE MAILED TO: [NAME, ADDRESS, PHONE NUMBER AND E-MAIL ADDRESS OF FORMER CLIENT]. IT IS VERY IMPORTANT TO OBTAIN AN EMAIL ADDRESS OF FORMER CLIENT

If the client is not an individual, please include a statement that the entity must be represented by counsel who must file an appearance within 20 days from the date of this order or a default may be entered.

The client's signature and consent is required in the motion.



LOCAL RULE 44 | MOTIONS FOR REHEARING/RECONSIDERATION

ALL parties MUST follow [Administrative Order, 2017-33-GEN](#). Parties **may not** set a hearing on a Motion for Rehearing/Reconsideration. Please submit the motion(s) by email to Div 25 as required and the Court will decide whether to set a hearing.



LOCAL RULE 45 | MOTION FOR CONTINUANCES

ALL motions to continue trial must be set for a hearing on UMC.
Please Note: witness issues alone are insufficient grounds to
continue trial.



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.



LOCAL RULE 47 | EVIDENTIARY HEARINGS

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 date stamped with an index. Counsel(s)/parties SHALL make every effort to file a Joint Index with exhibits.

PLEASE REVIEW: [Administrative Order, 2020-42-GEN](#)



LOCAL RULE 48 | NOTICE OF HEARING

Be sure to mention in the NOTICE that the hearing will be held IN PERSON or VIA ZOOM Video Conference, please remove the Courthouse address and Courtroom number and provide the "Join ZOOM Meeting" link, the meeting ID, and phone numbers if the hearing will be held via zoom, including the "how to find your local phone number" link if the individual cannot appear through ZOOM video.



LOCAL RULE 49 | UPLOADING ORDERS ELECTRONICALLY

ALL ORDERS must be submitted electronically through the Local Broward Portal ("CMS"). Please remember when you submit orders through CMS, the orders do not go to the Judicial Assistant, the orders go directly to the Judge.

The Judge signs the order when the order is uploaded to CMS because the parties have agreed on the language of the order and the Judge ministerially signs the Order.

LOCAL RULE 50 | AGREED ORDERS

All **AGREED ORDERS** must be submitted through CMS. The sender **MUST** certify the submitted order is in fact an agreed order, and must contain the date of the hearing and type of motion. The Court reserves the right to reject any Agreed Order and may set the matter for a hearing.

Please Note:

the Court disfavors Agreed Orders continuing trial or special set hearings.



LOCAL RULE 51 | DISAGREEMENT WITH THE LANGUAGE OF THE ORDER

You must send the orders in the same email to Division 25 to the Judge notifying the Court that the parties DO NOT AGREE.

(Please ensure the Proposed Order is in Word.Doc Format and include all parties in the email).

REMEMBER! The Judge signs the order when the order is uploaded to CMS because the parties have agreed on the language of the order and the Judge ministerially signs the order.



LOCAL RULE 52 | IT IS NOT PROFESSIONAL

DO NOT send proposed orders to the Court's email in advance of the hearing. It is NOT professional to send Proposed Orders by email or upload to CMS for signature when the hearing has NOT taken place. Thank you for your cooperation.



LOCAL RULE 53 | CONSOLIDATION ORDERS

Administrative Order. No 2018-100-Civ - Administrative Order Establishing Circuit Civil Cases Distribution.

If cases are filed and assigned to different civil divisions which concern the same subject matter or common issues the cases may be consolidated as follows:

- The plaintiff or defendant shall file a notice in each case setting forth the parties and case number of the similar case(s).
- The party seeking consolidation shall file a motion and set a hearing in the division with the lowest/earliest case number.
- If an order granting the consolidation is entered it shall indicate if it is consolidated for discovery, trial, or discovery and trial. Consolidated cases remain separate cases for the filing of pleadings and papers and only the case number for the case in which the pleading or paper is filed shall be stated with no reference to the companion case number.



LOCAL RULE 54 | TRANSFER ORDER

If cases are filed and assigned to different civil divisions which concern the same issue or common issues, the cases can be transferred as follows:

(a) The plaintiff or defendant must submit a notice **in each case** indicating the parties and the case number of the similar case(s).

(b) The party seeking the transfer must file a motion and schedule a hearing in the division with the lowest/earliest case number.

Administrative Order No. 2017-35-Civ - Amended Administrative Order Establishing Procedures for Direct Filing or Reassignment of Circuit Civil Cases to a Complex Business or Complex Tort Division.



LOCAL RULE 55 | CONFIDENTIAL PAPERWORK FOR THE JUDGE TO REVIEW

Submit your documents by email to div25@17th.FLCourts.org.



LOCAL RULE 56 | "IN CAMERA" INSPECTION OF SUPPORTING DOCUMENTS

Submit your documents by email to div25@17th.FLCourts.org. If you upload the documents to CMS, the other side can see it.



LOCAL RULE 57 | CONFIDENTIAL PLEADINGS

If you wish to file confidential pleadings, you must schedule a hearing on UMC, inform the Judge what documents need to be confidential, then the judge will issue an order notifying the clerk's office. Please follow the procedures below:

1. Check the Clerk's system to be sure that the Judge's order is filed.
2. Go to the Attorneys Portal and look under forms for "*Notice of Confidential Information within Court Filing*".
3. When locating the Notice, list the documentation to be sealed, and write on the Notice "*See Judge's Order on file*" and then file the Notice of Confidential with the documentation in the Clerk's Office.
4. you need assistance you can call 954-831-5795.



LOCAL RULE 58 | APPELLATE DIVISION

Phone calls to Judicial Assistants regarding the status of filed documents are inappropriate. It is for that reason that ALL parties are directed to review the [Guidelines for Communications with the Appellate Division](#) and to govern himself/herself accordingly. The Guidelines for Communications with the Appellate Division provides that parties shall not “call or email Judges, Judicial Assistants, or Staff Counsel.” Instead, the parties shall bring matters to the Court’s attention by filing an appropriate motion and following the procedures set forth in [Administrative Order Number 2019-06-GEN](#).



LOCAL RULE 59 | LACK OF PROSECUTION (APPEARANCE IS MANDATORY)

Pursuant to Florida Rule of Civil Procedure 1.420(e), if you received a Notice of Lack of Prosecution ("LOP"), and you file a pleading within the time set forth therein, the scheduled hearing IS NOT CANCELLED. The hearing will go forward as a Case Management Conference per Florida Rule of Civil Procedure 1.200(c) to determine the status of the case. LOP Hearings may only be cancelled if an Order of Dismissal is entered.



LOCAL RULE 60 | SETTING OF CASE MANAGEMENT BY THE PARTIES

The parties should meet, consult, and outline the issues before scheduling a CMC hearing. In case you are unable to resolve the issues, the parties may file a Motion for Case Management Conference, listing the issues, etc., that the parties seek to get resolved. This can be scheduled on UMC.



LOCAL RULE 61 | 2023 TRIAL DOCKET SCHEDULE

FOR JURY AND NON-JURY TRIALS

Calendar Call: Thursdays @ 10:00 A.M. VIA ZOOM

Please Note: *MAY AND OCTOBER TRIAL WEEKS have an extra week available for trial or special set hearings. Please issue your subpoenas for the entire four weeks.

CALENDAR CALL	TRIAL WEEK DOCKET
January 12, 2023	January 17, 2023 - February 03, 2023
February 09, 2023	February 13, 2023 - March 03, 2023
March 02, 2023	Monday, March 13, 2023 - Friday, March 31, 2023
Thursday, (April) March 30, 2023	Monday, April 10, 2023 - Friday, April 28, 2023
Thursday, May 11, 2023	Monday, May 15, 2023 - Friday, June 2, 2023
Thursday, June 08, 2023	Monday, June 12, 2023 - Friday, June 30, 2023
Thursday, July 13, 2023	Monday, July 17, 2023 - Friday, July 28, 2023
Thursday, August 10, 2023	Monday, August 14, 2023 - Friday, September 1, 2023
Thursday, September 07, 2023	Monday, September 11, 2023 - Friday, September 29, 2023
Thursday, October 05, 2023	Monday, October 16, 2023 - Friday, November 3, 2023
Thursday, November 09, 2023	Monday, November 13, 2023 - Friday, December 1, 2023



APPENDIX



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CONTACT INFORMATION

E: TextBookDiscrimination@gmail.com

W: www.TextBookDiscrimination.com

Congratulations! You're now **booked up** on Division 25's Local Rules of Court (Broward County, FL) which are pertinent to civil rights litigation!

