

SECTION 2 | SETTING CASE FOR TRIAL (JURY AND NON-JURY)

A. Notice for Trial: Plaintiff shall and any party may file a notice that the action is at issue and ready to be set for trial pursuant to Florida Rule of Civil Procedure 1.440(b) and submit to the Court a completed Trial Set Memorandum no later than ten (10) days after the date the case is at issue as defined by Florida Rule of Civil Procedure 1.440(a) to schedule the case for trial pursuant to the division's procedures (See Section II.) *infra*.

B. If the parties agree to set the case for trial via e-mail, the movant shall e-mail the Motion to Set and a fully completed Division CV-E Trial Set Memorandum to the Court. The Trial Set Memorandum form can be found on the Court's website. The movant's enclosure e-mail to the Court shall copy all opposing counsel/parties and provide several trial dates agreed to by all counsel/parties. A list of all available Division CV-E trial dates can be found on the Court's website. The enclosure e-mail should also identify for the Court a mediator agreed to by all counsel/parties. In the event the parties are unable to agree to a mediator, then the enclosure e-mail should advise the Court that the parties were unable to agree to a mediator and provide a list of three (3) mediators for the Court to consider.

C. In the event the parties are unable to agree to a trial date, the movant may obtain *ex parte* dates from the Court's website and coordinate with opposing counsel which date is best for all parties. *Ex parte* hearings shall be coordinated between the parties and scheduled with the Court, if necessary, pursuant to the provisions for in-person, telephonic and/or remote appearances pursuant to Section I. *supra*.

D. The movant then must file a Notice of *Ex Parte* Hearing for the agreed-upon date. Courtesy copies of the uncontested Motion and Notice of Hearing do not need to be provided to the Court, unless any counsel plan on attending the *ex parte* hearing by phone or by Zoom pursuant to Section I. F. In that case counsel shall e-mail the Court courtesy copies of the Notice of Hearing, Motion to Set, and a fully completed Division CV-E Trial Set Memorandum.

E. At the *ex parte* hearing, the in-person movant must present to the Court a fully completed Division CV-E Trial Set



Memorandum form. The form can be found on the Court's website and in Chambers. As noted on the form, please include telephone numbers and email addresses for counsel AND for e-filing. If the movant is appearing via telephone or Zoom, then the Trial Set Memorandum form shall be e-mailed to the Court.

F. The Movant shall be responsible for providing addressed, stamped envelopes for parties not receiving pleadings and orders via the e-Portal. Further, the Movant shall provide a blank, stamped envelope for the appointed mediator (if the mediator is not using e-Portal). Envelopes are not necessary for all individuals or entities using e-Portal.

G. The Court will prepare the Order Setting Case for Trial. For information purposes, the form Case Management Orders Setting Case for Jury Trial and Non-Jury Trial for Division CV-E can be found on the Court's website.

H. The parties must comply with the "*Trial Conduct and Courtroom Decorum Policy*" that can be found on the Court's website.

I. If a case settles, the parties must immediately contact the Court to have the case removed from the calendar/trial docket. In addition, the parties must comply with the Court's "*Procedures for Settlement or Dismissal of Cases*" (See Section XV) infra.

