

SECTION 20 | PROPOSED ORDERS WHEN THE COURT MAKES A RULING

The Court will strive to issue orders and rulings in a timely manner. Every effort will be made to rule the day of the hearing.

A. Proposed orders after a hearing are to be timely submitted to the Court as follows:

1. If counsel is asked to prepare an order, the order should be drafted and circulated to opposing counsel within three (3) working days and must be submitted to the Court within seven (7) days of the hearing, with a copy to opposing counsel.
2. All orders must describe, in the caption, the subject and ruling of the court, i.e. "Order Granting Plaintiff's Motion for Partial Summary Judgment on Liability." See Fla. R. Civ. P. 1.100(c)(1).
3. If there is an unrepresented party involved in the case not using e-Portal, the proposed Order must be submitted to the Court in writing, with sufficient copies for an original to be entered by the Court and a copy for each party not using e-Portal. Further, the party presenting the proposed Order, shall be responsible for providing addressed, stamped envelopes for parties not using the e-Portal;
4. If all parties before the Court are using e-Portal, the proposed Order may be emailed to the Court in Microsoft Word format; and
5. The proposed Order service list must contain e-filing addresses for opposing counsel/unrepresented party. If an unrepresented party does not receive e-filings, counsel must immediately mail or hand deliver to the Court an addressed, stamped envelope.
6. If the parties are unable to agree on the form of the order that accurately reflects the Court's ruling, both sides shall present their respective proposed orders to the court for consideration within seven (7) days of the hearing with copies to opposing counsel. The party objecting to the proposed order shall also present a "redline" or "blackline" version, in Microsoft Word format, of the proposed order to the Court, together with a transcript of the hearing if a Court Reporter was



requested by any party. The purpose of providing the Court with a “redline” or “blackline” version, in Microsoft Word format, of the proposed order is to allow the Court to compare the versions of the competing proposed orders to consider and comprehend what has been changed, revised or added. Copies of any such “redline” or “blackline” version of the proposed order and hearing transcript shall be provided to opposing counsel/unrepresented party.

7. If you want to know if a specific order has been signed by the Judge, you should first check the Clerk of Court’s records system to confirm it has been docketed as the Judicial Assistant is unable to track the signing of a specific order.

B. ALL PROPOSED ORDERS PRESENTED FOLLOWING HEARING, whether submitted to the Court in writing or via email as contemplated supra, MUST INCLUDE A COVER LETTER INDICATING:

1. What the Order is for (i.e. the case, the motion heard, including date and time, the title of the Order, etc.); and

2. That all opposing counsel/unrepresented parties have been provided with the same materials being provided to the Court, and whether the parties agree with the language of the proposed Order.

C. All counsel and unrepresented parties must be copied on the cover letter, including any proposed Order, at the same time provided to the Court. If counsel does not have an email address for an unrepresented party, counsel must mail or hand deliver the proposed Order and letter to the Court consistent with the instructions above.

NOTE: Any complex proposed Orders should be submitted in Microsoft Word format via email to the Court with a cover letter consistent with the instructions above.

³ “Omnibus” and “boilerplate” motions in limine are discouraged. *Boyles v. A&G Concrete Pools, Inc.*, 149 So.3d 39, 43-44 (Fla. 4th DCA 2014) (“Motions in Limine can serve an important function in streamlining a trial. The excessive use of them, however, can clog the docket and become a trap. Boilerplate motions in limine filed early in a case have dramatically increased



since the amendment of section 90.104, Florida Statutes in 2003. This amendment modified the rule requiring a contemporaneous objection to preserve an objection to the admission of evidence on appeal.... Civil litigants now attempt to obtain blanket rulings well in advance of trial on every conceivable reason to object to evidence at trial, whether or not those matters apply to the facts of the case. Therefore, when the trial is held later, litigants believe that they do not have to object at all, and appellate issues will still be preserved. Trial judges may be put in the position of having to sua sponte strike evidence or hazard an appellate reversal with the requirement of a new trial.... Trial judges do not have to consider such motions well in advance of trial. Many times, they should not rule in advance. Evidentiary issues often depend upon the context in which they are raised or the other evidence which is admitted or developed through discovery. Where evidence excluded by a prior order in limine is admitted inadvertently, simply because it was not pointed out to the trial court that the evidence violated the order, this provides an appealable issue and an opportunity for a new trial, even though the error could have been easily corrected had it been pointed out by the parties. To prevent that from occurring in this case, the trial judge astutely required the parties to object to any evidence sought to be excluded. Because the Plaintiff did not object, this issue was not preserved for appeal”).

