CASE MANAGEMENT PLAN and ORDER

CHARLOTTE COUNTY CIRCUIT CIVIL CASES

1 Instructions updated June 2020

Please be advised, the Court requires the following in ALL Circuit Civil cases filed as Non- Residential Foreclosure Cases. These instructions are provided to assist attorneys and self-represented party in complying with the STANDING ORDER FOR ALL CIVIL CASES IN CHARLOTTE COUNTY.

**CIVIL CASE MANAGEMENT SYSTEM**

The Supreme Court of Florida has established guidelines for the prompt processing and resolution of civil cases, and has expressly mandated that the Court “shall take charge of all cases at an early stage in the litigation and shall control the progress of the case thereafter until the case is determined.” Fla. R. Jud. Admin. 2.545(b). This Court has adopted a case management system to help meet those guidelines. The Case Management system requires early consultation and cooperation among the parties for the preparation and submission of an Agreed Case Management Plan, early interaction with a Civil Case Manager and early involvement by the Court.

**AGREED CASE MANAGEMENT PLAN AND ORDER**

The Agreed Case Management Plan (CMP) requires the parties to identify a case track, confer in a good faith attempt to narrow the matters in controversy, identify the issues that require direct involvement by the Court, and establish a schedule addressing those issues. This agreed CMP is due on or before 150 days from the date of filing the initial complaint, if the parties are unable to agree, a Case Management Conference (CMC) will be scheduled by the Court. Attendance at the CMC is mandatory by trial counsel and those parties who are not represented.

**How to submit a proposed CMP to the Court electronically?**

1. Download this *NEW* *Case Management Plan and Order:*
2. Complete and sign the agreed plan electronically
3. Save the document in WORD format, WORD 97-2002 or 2003 (please -no PDF, RTF, WPD etc.)
4. **This document DOES NOT need to be viewable for judicial consideration; do not e-file**.
5. Email the document *to* [civilcmcharlotte@ca.cjis20.org](mailto:civilcmcharlotte@ca.cjis20.org). The body of the Email now constitutes as the cover letter, copy all parties on the email.
6. If Case Management Conference is scheduled and the Court receives the document at least 7 days prior to the hearing the conference may be cancelled. A separate Notice of Cancellation will be e-served.
7. For more helpful tips, view the Circuit Civil PowerPoint Instructions: [Power Point Instructions](https://www.ca.cjis20.org/pdf/Circuit-Civil-Powerpoint-Instructions.pptx)

Any questions regarding the Case Management Plan or the Standing Order for Civil Cases contact the Charlotte County Civil Case Management Office at [civilcmcharlotte@ca.cjis20.org](mailto:civilcmcharlotte@ca.cjis20.org) or call (941) 637-2207 or (941) 833-3060.

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR CHARLOTTE COUNTY, FLORIDA CIVIL ACTION

Plaintiff(s), Case File No:

vs. Case Type:

Defendant(s),

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

**AGREED CASE MANAGEMENT PLAN AND ORDER**

The parties hereby submit to the following Agreed Case Management Plan to the Court for approval:

**Case Track Assignment[[1]](#footnote-1) (check one – *must be completed for cases filed 05/01/2012 or thereafter)*:**

**Expedited Track (Case resolved within 12 months):**

(It is recommended that discovery and an alternative dispute resolution be completed within 270 days after the complaint is filed and a final disposition entered within 365 days after the complaint is filed.)

**Standard Track (Case is resolved within 18 months):**

(It is recommended that discovery and an alternative dispute resolution be completed within 450 days after the complaint is filed and a final disposition entered within 540 days after the complaint is filed.)

**Complex Track (Case resolved within 2 years):**

(Case will likely be declared complex per Florida Rule of Civil Procedure 1.201.)

**Case Deadlines and Events**

|  |  |
| --- | --- |
| ***DEADLINE OR EVENT*** | ***AGREED DATE*** |
| **Statement of Facts and/or Counterclaim(s)**  Plaintiff(s):  Defendant(s): |  |
| **Identification of facts the parties believe to be disputed**  Plaintiff(s):  Defendant(s): |  |
| **Identification of the issues of law to be decided by the Court** Plaintiff(s):  Defendants(s): |  |
| **Motions to Add Parties or to Amend Pleadings**  Plaintiff(s):  Defendant(s): |  |
| **Disclosure of Fact Witnesses**  Plaintiff(s):  Defendant(s): |  |
| **Disclosure of Expert Witnesses**  Plaintiff(s):  Defendant(s): |  |
| **Filing of Exhibit List**  Plaintiff(s):  Defendant(s): |  |
| **Discovery Deadline for Fact Witnesses**  (All discovery must be commenced in time to be completed before this date.)  Plaintiff(s):  Defendant(s): |  |
| **Expert Opinion Available to Opposing Party**  (It is recommended that last exchange occur 4 months before trial and  1 – 2 months before discovery deadline to allow time for expert depositions. This does not require a written report unless otherwise required by the rule.)  Plaintiff(s):  Defendant(s): |  |
| **Discovery Deadline for Expert Witnesses**  Plaintiff(s):  Defendant(s) |  |
| **Completion of Alternative Dispute Resolution (ADR)**  (Mediation is mandatory within 12 months of trial date, unless the parties stipulate to non-binding arbitration.)  Deadline:  Type of ADR: |  |
| **Deadline for Hearing Dispositive Motions**  (All dispositive motions must be heard by the Court at least 10 days prior to the pretrial conference unless otherwise ordered by the Court.) | \_\_\_\_\_\_Ten days prior to pretrial conference/or  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| **Pretrial Management Conference Date**  (Unless early ADR is selected, a pretrial conference date will be scheduled within 45 days of the date of ADR not resulting in settlement or disposition of this entire action.) | An Order will be issued by the Court scheduling this conference. |
| **Other Deadlines or Events** |  |

**Trial Information**

|  |  |
| --- | --- |
| **Estimated Date the Case Will Be Prepared To Go To Trial**  **(**If counsel and unrepresented parties do not agree on the estimated date on which the case will be prepared to go to trial, or fail to file a Notice for Trial by the date indicated, the Court may on its own motion set the case for trial, or other status hearing. The filing of this plan does **NOT** supplant the requirement of filing a Notice for Trial.) |  |
| **Estimated Length of Trial** *(specify the number of trial days):* |  |
| **Identification of Jury or Non-Jury Trial** |  |

The above-referenced schedule of deadlines will be strictly adhered to by the parties unless a change is otherwise agreed to by the parties and approved by the Court. The Court will consider a request to approve changes to these deadlines upon a showing of good cause by either party based on matters arising from an emergency nature or unavailability. However, once the Agreed Case Management Plan has been approved by the Court, procrastination in completing discovery or the unavailability of counsel will not constitute good cause for a change to these deadlines. The failure to abide by these deadlines may result in sanctions by the Court, including the award of attorney’s fees, the striking of pleadings, and/or a dismissal of the action.

*Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

|  |  |
| --- | --- |
| Plaintiff  *Provide in the text boxes below the attorney or self-represented party’s signature, name, address, and telephone. Attorneys must include bar number.* | Defendant  *Provide in the text boxes below the attorney or self-represented party’s signature, name, address, telephone and signature(s). Attorneys must include bar number.* |
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**ORDER APPROVING AGREED CASE MANAGEMENT PLAN**

**THE COURT,** having reviewed the above **Agreed Case Management Plan** and finding it to be satisfactory, it is

**ORDERED AND ADJUDGED** that the Agreed Case Management Plan is hereby **APPROVED AND ALL PARTIES SHALL ABIDE BY THE TERMS HEREIN.**

1. Case disposition times for all Case Tracks have been established in accordance with Florida Rule of Judicial Administration 2.250(a)(1)(B). Although Standard and Complex Track cases may or may not be resolved with a jury trial, it is expected that Expedited Track cases will be resolved without a jury trial. [↑](#footnote-ref-1)