

IN THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR THE STATE OF FLORIDA

IN RE: ESTABLISHMENT AND IMPLEMENTATION
OF CIVIL CASE MANAGEMENT PLAN

ADMINISTRATIVE
ORDER
NO. 1.13
- AMENDED-

WHEREAS, it is in the best interest of the citizens of the Twentieth Judicial Circuit for the Court to develop innovative means to further improve the fair, predictable, efficient, and timely disposition of civil cases in the civil divisions of the Court;

WHEREAS, local Administrative Order No. 1.13, In re: Establishment and Implementation of Civil Case Management Plan, was originally entered December 10, 2010, and amended May 11, 2012; and

WHEREAS, the Florida Supreme Court has recently issued Administrative Order No. AOSC20-23 (Amendment 12) containing new directives regarding Civil Case Management; and

NOW, THEREFORE, pursuant to the authority prescribed by Fla. R. Jud. Admin. 2.215 and in accordance with Florida Supreme Court Administrative Order No. AOSC20-23 (Amendment 12), it is **ORDERED** as follows:

1. There is established within the Twentieth Judicial Circuit a Civil Case Management Plan applicable to circuit and county civil cases in each county for the implementation of enhanced case management procedures and guidelines for the timely and efficient processing of circuit and county civil cases.

2. The basis for the Civil Case Management Plan is attached hereto, identified in Attachment "A" as the "Civil Differentiated Case Management (DCM) Procedures," and is incorporated as if fully set forth herein. The Civil Case Management Plan is to be used as a model for the purpose of establishing time standards, improving the courts ability to provide early and continuous

By this document to
a true and correct copy of the
record on file in my office,
Lina Doggett, Clerk Circuit/
County Court, Lee County, FL
Dated: 4/29/21
By: K.K.



management of civil cases as required by Fla. R. Jud. Admin. 2.545, and to promote uniformity of practice throughout the Twentieth Judicial Circuit.

3. It is intended that the Civil Case Management Plan be implemented uniformly circuit-wide within the Twentieth Judicial Circuit. However, recognizing variations as it relates to staffing and resources among the five counties within the Twentieth Judicial Circuit, the Circuit or County Administrative Judge of each respective county may submit to the Chief Judge a distinct written proposed plan with procedures that, upon approval by the Chief Judge, may be implemented in the respective county.

4. Full implementation of the Civil DCM Case Management Procedures (Attachment "A"), including all uniform circuit-wide procedures and forms, shall apply to all civil cases filed in the Twentieth Judicial Circuit effective April 30, 2021.

5. It shall be noted that the forms are intended as models only and may be modified, as may be appropriate. Any updates or modifications to the model forms shall be posted and available for viewing on the Court's website at <http://www.ca.cjis20.org/web/main/civil.asp>. It shall be the responsibility of all parties to check the website for the most recent forms to be used in conjunction with the Civil Case Management Plan and DCM procedures.

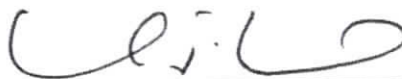
6. The procedures and time standards set forth in the model plan, or in any other written plan approved by the Chief Judge, are intended to facilitate the timely, fair and effective resolution of civil cases while ensuring the efficient use of court resources. The procedures and time standards do not supplant any existing rule, statute, or law. Neither this Administrative Order nor the Civil Case Management Plan shall be construed as granting any rights not already provided for by rule, statute, or law.

7. Attachment "A" inclusive of the Circuit and County Standing Orders are adopted and incorporated herein.



8. To the extent that any provision of this Administrative Order may be construed as being in conflict with any rule, statute, or law, the rule, statute, or law shall prevail.

DONE AND ORDERED in chambers in Fort Myers, Lee County, Florida, this 29th day of April, 2021



Michael T. McHugh
Chief Judge

History. – Administrative Order 1.13 (December 10, 2010); Administrative Order 1.13 (May 11, 2012).



ATTACHMENT A

Twentieth Judicial Circuit
Civil Differentiated Case Management (DCM) Procedures

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¹ Standardized forms for each County can be downloaded from the Court's website at <http://www.ca.cjis20.org>.



Civil Differentiated Case Management (DCM) Procedures

I. Purpose and Goals

This Twentieth Judicial Circuit Civil Case Flow Management Plan seeks to update differentiated case flow management procedures in circuit civil cases, and to implement differentiated case flow management procedures in county civil cases, with the following goals:

- Improve the courts ability, as required by Fla. R. Jud. Admin. 2.545, to provide early and continuous control of case processing to ensure fair and prompt resolution of disputes consistent with the nature and complexity of the case.
- Identify immediate strategies for civil case backlog reduction plans to assist in prompt resolution of civil cases.
- Improve the courts ability to respond to the growing number of civil filings within the Twentieth Judicial Circuit.
- Develop uniform procedures for effective early judicial intervention and management of complex cases consistent with Fla. R. Civ. P. 1.201 for managing complex litigation.
- Reduce public costs of civil litigation through early identification and expedited handling of relatively simple two-party cases to ensure prompt resolution of expedited matters through early referral to mediation or expedited hearing where appropriate.

II. Circuit-wide Civil Backlog Reduction Goals

Each county backlog reduction effort may include the following components or other calendar management options as determined by the Circuit and/or County Administrative Judge in each county based on nature and volume of civil backlog:

a. Backlog Reduction Goal

The goal is to reduce the number of pending civil cases, both circuit and county, within the Twentieth Judicial Circuit.

b. Civil Backlog Reduction Strategies:

- County Civil Complaints: To issue a Case Management Plan upon the filing of a county civil complaint, effective April 30, 2021, and to file a Case Management Plan or Trial Order in all pending county civil cases no later than December 3, 2021
- Circuit Civil Complaints: To issue, or establish by Case Management Conference, a Case Management Plan in the Circuit Court if the parties fail to submit an Agreed Case Management Plan by the 150th day from the date of filing of the complaint.



III. Civil DCM Case Management Plans - Time Standards & Goals

These time standards/goals are developed consistent with those established by the Florida Supreme Court pursuant to Fla. R. Jud. Admin. 2.250, and are intended to be flexible presumptive time periods for disposition of civil cases.

Complex case time standard/goal is expanded to 24 months upon designation of a case as complex consistent with Fla. R. Civ. P. 1.201 regarding management of complex civil litigation. The local goal of 80 - 90% disposition of cases within time standards recognizes, consistent with Fla. R. Jud. Admin. 2.250(a), that there are a portion of cases that present unique pretrial problems that may cause reasonable delay. Time standards established by case track are:

- a. Complex cases 80% disposed within 24 months
- b. Standard cases 80% disposed within 18 months
- c. Expedited cases 90% disposed within 12 months

IV. Case Track Definition and Criteria

a. Complex Case Track – (Goal 24 months)

The complex case track involves those cases with extraordinary complexity as to require or benefit from early intervention and individual judicial management. Complex cases are defined by Fla. R. Civ. P. 1.201. Cases may be designated for management on the complex track in one of the following ways:

1. Complex cases designated by motion or stipulation and approved by the court as cases meeting complex litigation criteria under Fla. R. Civ. P. 1.201(a); or,
2. Cases identified by the court on its own motion as complex case under Fla. R. Civ. P. 1.201 due to extraordinary procedural complexity, number of parties, or other case factors that will require or benefit from individual judicial management.

Presumptive Case Types - Local plans may establish presumptive complex case types for review with the assigned Judge based on local needs and filing trends.

Examples of presumptive complex case types that may be appropriate for early screening and review of case complexity are:

- Class Action Cases as noted on Civil Cover Sheet (Form 1.997, section V.)
- Environmental/Toxic Tort/Mass Tort Litigation (Form 1.997, section II)
- Anti-Trust/Securities Litigation
- Malpractice – Medical (or involving Wrongful Death)
- Nursing home negligence
- Other complex cases with extraordinary number of parties, experts, pretrial discovery issues



Presumptive complex case types may be designated for early screening and review by the Court. Multiple parties are a key factor, as referenced by the rule.

The Court shall review the presumptive case types upon filing with the clerk so that they may be actively monitored by the Court after all defendants have been served, an appearance has been entered in response to the complaint by each party, or a default has been entered.

In cases designated as complex, a Case Management Plan shall be established by the Court, either with or without the parties input, at the discretion of the Court.

b. Standard Case Track – (Goal 18 months)

Standard case track involves the large majority of cases that normally will not require a high level of judicial case management to reach timely resolution unless unusual pretrial delay arises. Examples of general case types that would be defined as standard cases, assuming no unusual complexity are:

- Personal injury/tort
- Auto negligence
- Standard contract cases without extraordinary pretrial discovery complexity

1. Agreed Case Management Plan in Circuit Civil Standard Cases: An Agreed Case Management Plan is encouraged to be developed jointly by counsel for the parties, as well as any self-represented litigants, and filed within thirty (30) days of service of the complaint on the last defendant named in the complaint. All Agreed Case Management Plans are subject to approval by the Court.
2. Circuit Civil Case Management in Standard Cases: If the parties have not submitted an Agreed Case Management Plan within 150 days of the filing of the initial complaint, a Case Management Plan will be issued by the Court. If the Court issues a Case Management Plan, the parties may petition the Court for changes either by subsequently filing an Agreed Case Management Plan or by requesting a Case Management Conference to develop an Amended Plan. Alternatively, the Court, on its own, may elect to schedule a Case Management Conference for the purpose of establishing a Case Management Plan or an Amended Case Management Plan.
3. County Civil Case Management in Standard Cases: The Court will issue a case plan at the initiation of a case. The plan is to be served by the plaintiff with the complaint and Standing Order. If the parties need to make changes to the Court's Case Management Plan, the parties may submit an Agreed Case Management Plan, subject to approval by the Court, or the parties may request to schedule a Case Management Conference.

c. Expedited Case Track - (Goal 12 months)

Expedited cases are those cases normally requiring little judicial intervention with relatively simple procedural and legal issues that can be resolved promptly by early referral to



mediation, ADR or expedited hearing.

Expedited cases may include:

- Residential and Commercial Foreclosure²
 - Simple, two-party Collection/Indebtedness cases
 - Non-Jury cases
1. Agreed Case Management Plan in Circuit Civil Expedited Cases: An Agreed Case Management Plan is encouraged to be developed jointly by counsel for the parties, as well as any self-represented litigants, and filed within thirty (30) days of service of the complaint on the last defendant named in the complaint. All Agreed Case Management Plans are subject to approval by the Court.
 2. Circuit Civil Case Management in Expedited Cases: If the parties have not submitted an Agreed Case Management Plan within 150 days of the filing of the initial complaint, a Case Management Plan will be issued by the Court. If the Court issues a Case Management Plan, the parties may petition the Court for changes either by subsequently filing an Agreed Case Management Plan or by requesting a Case Management Conference to develop an Amended Plan. Alternatively, the Court, on its own, may elect to schedule a Case Management Conference for the purpose of establishing a Case Management Plan or an Amended Case Management Plan.
 3. County Civil Case Management in Expedited Cases: The Court will issue a case plan at the initiation of a case. The plan is to be served by the plaintiff with the complaint and Standing Order. If the parties need to make changes to the Court's Case Management Plan, the parties may submit an Agreed Case Management Plan, subject to approval by the Court, or the parties may request to schedule a Case Management Conference.

V. Civil DCM Case Management Procedures

a. Preliminary Procedures

1. Civil Cover Sheet (Fla. R. Civ. P. Form 1.997) – Plaintiff shall attach the Civil Cover Sheet to the initial complaint filed with the Clerk.
2. Circuit Standing Order for Case Management – Plaintiff shall attach the Standing Order to the initial complaint for service on all parties.
3. County Standing Order for Case Management – Plaintiff shall attach the Standing Order and the Case Management Plan to the initial complaint for service on all parties.

² As it relates to Lee County and Charlotte County, Local Administrative Order 1.18, In re: Standing Orders and Civil Case Management Plans in Residential Mortgage Foreclosure Cases in Lee County, and Local Administrative Order 1.19, In re: Standing Orders and Civil Case Management Plans in Residential Mortgage Foreclosure cases in Charlotte County, respectively, control case management in residential foreclosure cases.



b. Case Management Procedures – Complex Cases

1. Designation to the complex track

Cases may be designated to the complex track as provided under Fla. R. Civ. P. 1.201 by:

• Motion or Stipulation by Parties

Motion or stipulation for designation as a complex case under Fla. R. Civ. P. 1.201 must be filed with the Clerk of Court.

• On Court's Motion

The Court may designate a case as a complex case after receipt of responsive pleadings and review of complaint, answer and civil case cover sheet in presumptive case types.

2. Initial Case Management Conference

Within 60 days of designation as a complex case, the assigned trial judge shall set the initial case management conference.

3. Joint Statement of Parties

At least 20 days prior to the date of the initial case management conference, counsel for the parties, as well as any self-represented litigants, shall confer and prepare a joint statement outlining a discovery plan, which shall be filed with the clerk of court no later than 14 days before the case management conference.

4. Case Management Order

The Case Management Order shall provide:

- Pretrial Discovery/Case scheduling plan
- Plan for referral to ADR
- Next Case Management Conference Date
- Date for next Pretrial Conference (not less than 90 days prior to the trial date)
- Estimated date for trial/readiness date within 24 months

5. Interim Case Management Conference or Pretrial Conference

At the trial judge's discretion, an interim case management conference or Pretrial Conference may be set with the Judge to facilitate resolution of pretrial management or discovery matters, resolve outstanding issues, and set a firm trial date.

6. Trial

The trial date shall be set by the Judge at the Final Case Management Conference.

c. Case Management Procedures – Standard/Expedited Cases

1. Standing Order in Circuit and County Civil Cases - The Plaintiff shall attach the Standing Order in Circuit Civil cases, and the Standing Order and Case Management Plan in County Civil cases, with the initial complaint for service on all parties.



2. Case Management Conference - In standard and expedited cases in which the Court has issued a Case Management Plan, if the parties need to make changes, the parties may submit an Agreed Case Management Plan, subject to approval by the Court, or may request to schedule a case management conference
3. Presumptive case scheduling plan/time goals - Agreed Case Management Plans may be flexible and based upon individual case factors, but should be consistent with reasonable and presumptive pretrial discovery and ADR time goals as follows:

<u>Case Track</u>	<u>Completion Discovery and ADR</u>	<u>Trial/Disposition</u>
Standard	450 days	540 days (18 months)
Expedited	270 days	365 days (12 months)

VI. Standardized Civil Case Management Orders & Forms³

- a. Standing Order in Circuit Civil Cases in the Twentieth Judicial Circuit
- b. Standing Order in County Civil Cases in the Twentieth Judicial Circuit with Case Management Plan
- c. Order Scheduling Case Management Conference
- d. Agreed Case Management Plan and Order

³ Standardized forms for each County can be downloaded from the Court's website at <http://www.ca.cjis20.org>.



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

Plaintiff(s),

vs.

CASE NO:

Defendant(s).
_____ /

**STANDING ORDER IN CIRCUIT CIVIL CASES IN THE
TWENTIETH JUDICIAL CIRCUIT**

PURSUANT to Florida Rule of Civil Procedure 1.200(a), Florida Rule of Judicial Administration 2.545, and Administrative Order 1.13 (as amended) entered by the Chief Judge of this Circuit, the parties are ordered to adhere to the following information and procedures applicable to civil lawsuits:

1. **SERVICE OF THIS ORDER.** The Plaintiff is directed to serve a copy of this order with each Summons issued in this case. One copy of this Order is to be filed with the Clerk of the Circuit Court with proof of service. The Plaintiff shall pay the appropriate statutory clerk's fees for copies for each Standing Order issued and attached to the Summons.
2. **CIVIL CASE MANAGEMENT SYSTEM.** The Supreme Court of Florida has established guidelines for the prompt processing and resolution of civil cases. This Court has adopted a case management system to help meet those guidelines. In contested cases (other than residential foreclosures, involuntary commitment of sexually violent predators, Extraordinary Writs, 90 day Notice of Medical Malpractice Claim, and Administrative Appeals), the parties are required to participate in the case management system. The Court will issue a Case Management Plan after 150 days of the filing of a case in the event the parties have not submitted an Agreed Case Management Plan that has been approved by the Court. However, if it becomes necessary to amend the court-issued Case Management Plan, the parties may submit an Agreed Case Management Plan, subject to approval by the Court, or if the parties cannot agree on an Amended Plan, the parties may request a case management conference. The form of the Agreed Case Management Plan may be accessed at the Court's website at: <http://www.ca.cjis20.org/web/main/civil.asp>. If a case management conference is scheduled, attendance by trial counsel and those parties who are not represented by counsel is mandatory.
3. **ALTERNATIVE DISPUTE RESOLUTION (ADR).** ADR provides parties with an out-of-court alternative for settling disagreements. The Court requires the parties to participate in ADR prior to trial. Mediation is mandatory unless the parties agree to another form of ADR. Mediation is a conference at which an independent third party attempts to arrange a settlement between the parties. The Court, at its discretion, may order the case be referred to Non-Binding Arbitration. Non-Binding Arbitration is the process in which the court refers a case to a registered arbitrator, or panel of arbitrators, who will hear evidence and make an award which may become a final judgment if a Motion for Trial De Novo is not timely filed pursuant to Fla. R. Civ. P. 1820(h).



4. **FAILURE TO PROSECUTE.** The Court will issue a Notice of Intent to Dismiss a case if there is no record of activity within a ten (10) month period of time.

5. **RULES OF PROFESSIONALISM.** The Twentieth Judicial Circuit has adopted Administrative Order 2.20, which sets forth standards of professional courtesy and conduct for all counsel practicing within the Circuit and self-represented litigants. The Court requires that all parties familiarize themselves and comply with Administrative Order 2.20. Administrative Order 2.20 may be viewed on the Court's website at: http://www.ca.cjis20.org/web/main/ao_admin.asp

DONE AND ORDERED at _____, _____ County, Florida, on _____, 20__.

Administrative Judge



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

Plaintiff(s),

vs.

CASE NO:

Defendant(s).
_____ /

**STANDING ORDER IN COUNTY CIVIL CASES IN THE
TWENTIETH JUDICIAL CIRCUIT
WITH CASE MANAGEMENT PLAN**

PURSUANT to Florida Rule of Civil Procedure 1.200(a), Florida Rule of Judicial Administration 2.545, Florida Supreme Court Administrative Order AOSC 20-23 (Amendment 12), and Administrative Order 1.13 (as amended) entered by the Chief Judge of this Circuit, the parties are ordered to adhere to the following information and procedures applicable to civil lawsuits in the County Court, excluding Small Claims cases, in which the Florida Rules of Civil Procedure have not been invoked, and Eviction cases:

1. **SERVICE OF THIS ORDER.** The Plaintiff is directed to serve a copy of this order, with the attached Case Management Plan, with each Summons issued in this case. One copy of this Order is to be filed with the Clerk of Court with proof of service. The Plaintiff shall pay the appropriate statutory clerk's fees for copies for each Standing Order issued and attached to the Summons.

2. **CIVIL CASE MANAGEMENT SYSTEM.** The Supreme Court of Florida has established guidelines and directives for the prompt processing and resolution of civil cases and the issuance of a case management plan. This Court has adopted a case management system to help meet those guidelines. In contested cases (other than Small Claims cases, in which the Florida Rules of Civil Procedure have not been invoked, and eviction cases), the parties are required to participate in the case management system. In order to meet these guidelines and directives, the Court hereby issues the Case Management Plan attached hereto. Should the parties wish to amend this plan during the course of the case, they may submit a proposed Amended Case Management Plan along with their reasons that the Court should consider approving same. The county civil Case Management Plan may be accessed on the Court's website at: <http://www.ca.cjis20.org/web/main/civil.asp>.

3. **ALTERNATIVE DISPUTE RESOLUTION (ADR).** ADR provides parties with an out-of-court alternative for settling disagreements. The most common form of ADR is Mediation, which is a conference at which a Supreme Court Certified mediator, who is a specially trained third party, attempts to facilitate a settlement between the parties. The Court, at its discretion, may require the parties to participate in Mediation prior to trial, unless the parties agree to another form of ADR, such as Non-Binding Arbitration. The Court may, on its own motion or the motion of the parties, refer a case to Non-Binding Arbitration. Non-Binding Arbitration is a process in which the Court refers a case to a registered arbitrator, or panel of arbitrators, who will hear evidence and make an award. That award may become a final judgment in the case if a Motion for Trial De Novo is not filed pursuant to Fla. R. Civ. P. 1.820(h).

4. **FAILURE TO PROSECUTE.** The Court will issue a Notice of Intent to Dismiss a case if there is no record activity within a ten (10) month period of time.



5. **ELECTRONIC SERVICE (e-Service) AND ELECTRONIC FILING (e-File)**. In general, attorneys are required to designate a primary e-mail address for the purpose of serving and receiving service of pleadings (after the initial pleading), and are required to electronically file documents through the Florida Courts e-filing Portal. Self-represented litigants are not required, but are encouraged to file with the Clerk a designation of a primary e-mail address for the purpose of serving and receiving service of pleadings (after the initial pleading), and to electronically file documents through the Florida Courts e-filing Portal at <https://www.myflcourtaccess.com>. If a self-represented litigant does not designate a primary e-mail address, service by and on that self-represented litigant is to be by hand-delivery or mail and in accordance with Fla. R. Jud. Admin. 2.516, and the filing of documents by that self-represented litigant with the Clerk is to be done manually and in accordance with Fla. R. Jud. Admin. 2.525.

6. **RULES OF PROFESSIONALISM**. The Twentieth Judicial Circuit has adopted Administrative Order 2.20, which sets forth standards of professional courtesy and conduct for all counsel practicing within the Circuit and self-represented litigants. The Court requires that all parties familiarize themselves and comply with Administrative Order 2.20. Administrative Order 2.20 may be viewed on the Court's website at: http://www.ca.cjis20.org/web/main/ao_admin.asp.

DONE AND ORDERED in _____, _____ County, Florida, on _____, 20____.

Administrative Judge/County Judge



Plaintiff(s),

vs.

CASE NO:

Defendant(s).

COUNTY CIVIL CASE MANAGEMENT PLAN

The parties shall comply with the below Case Management Plan:

Case Track Assignment¹:

- Expedited Track (Case to be resolved within 12 months of filing):**
 (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 to be resolved within 18 months of filing):**
 (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 to be resolved within 2 years of filing):**
 (Case will likely be declared complex per Florida Rule of Civil Procedure 1.201)

Case Deadlines and Events

<i>DEADLINE OR EVENT</i>	<i>DATE</i>
Statement of Facts and/or Counterclaim(s)	180 days prior to trial
Identification of facts the parties believe to be disputed	90 days prior to trial
Identification of the issues of law to be decided by the Court	90 days prior to trial
Motions to Add Parties or to Amend Pleadings	180 days prior to trial
Disclosure of Fact Witnesses	180 days prior to trial
Disclosure of Expert Witnesses	180 days prior to trial
Filing of Exhibit List	60 days prior to trial

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.



DEADLINE OR EVENT	DATE
Expert Opinion Available to Opposing Party	120 days prior to trial
Discovery Deadline for Expert Witnesses	60 days prior to trial
Completion of Alternative Dispute Resolution (ADR)	60 days prior to trial, unless waived by the Court.
Deadline for Filing Dispositive Motions (Court requires filing not later than 10 days prior to the pretrial conference)	60 days prior to trial. Must be heard not later than 30 days prior to commencement of trial period.
Pretrial/Trial Conference Date	An Order will be issued by the Court scheduling the Pretrial/Trial Conference.

Trial Information

Estimated Date the Case Will Be Prepared To Go To Trial. This is the estimated time the case should be ready for trial based on the Expedited Track and upon which all deadlines are based.	Expedited Track deadline is 12 months from date <u>initial</u> Complaint was filed.
Estimated Length of Trial	No more than 3 days. If more than 3 days are needed, the court shall be notified in writing prior to or at the pretrial conference.
Identification of Jury or Non-Jury Trial	Either party shall file a Notice for Trial immediately upon the case being at issue indicating jury or non-jury and length of 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, procrastination in the completing of discovery 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.

DONE AND ORDERED in _____, _____ County, Florida on _____, 20__.

Administrative Judge/County Judge



IN THE CIRCUIT/COUNTY COURT FOR THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA CIVIL ACTION

Plaintiff(s),

vs.

CASE NO:

Defendant(s).

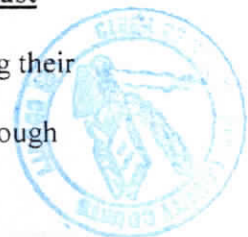
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ORDER SCHEDULING CASE MANAGEMENT CONFERENCE

The Court has scheduled a case management conference in this case, before the Judge/Case Manager, _____, pursuant to Florida Rule of Civil Procedure 1.200(a), and Florida Rule of Judicial Administration 2.545, on _____ at _____ : _____ am/pm, in Courtroom _____, at _____.

1. **Prior to Case Management Conference.** Each counsel **must** confer with his or her client(s) prior to the case management conference in order to determine the client's position with respect to settlement, pleading, admissions, and other matters that require the consent of the client. Counsel shall be prepared to make the representation that counsel has conferred with the client(s). Trial counsel and those parties who are not represented by counsel (hereinafter referred to as self-represented litigants) **must** confer not later than **14 calendar days** prior to the case management conference and discuss agreements on as many of the issues listed below in paragraph 2.A. as possible. Trial counsel and/or the parties shall be prepared to discuss the possibility of settlement of the case. Trial counsel and self-represented litigants shall work together to agree on the provisions of an agreed Case Management Plan, in the form attached hereto, and shall be prepared to discuss any unresolved issues at the Case Management Conference.

2. **Case Management Conference.** Trial counsel and self-represented litigants **must** personally appear and attend the case management conference. Those attending shall bring their personal calendars to the case management conference. Those attending **must** have a thorough



knowledge of the case, be prepared to discuss it and make stipulations and admissions, when appropriate.

A. Those attending **must** be prepared to discuss:

i. Scheduling or rescheduling deadlines for the service of motions, pleadings and other papers. This shall include adding, dropping or amending claims or defenses and adding or dropping parties.

ii. Determining the existence of issues that may be severed and/or resolved pre-trial.

iii. Limiting, scheduling, ordering and expediting discovery. This shall include the desirability of creating document depositories and addressing the handling of privilege and confidentiality claims.

iv. Scheduling hearings and/or deadlines for motions (including motions addressed to the pleadings, motions to declare the case “complex” pursuant to Florida Rule of Civil Procedure 1.201(a) and motions for summary judgment), mediation, alternative dispute resolution and other conferences.

v. Requiring interim status reports, and determining other matters that may aid in the disposition of the action and resolution of pretrial motions, discovery and preparation for mediation, alternative dispute resolution and trial.

vi. Determining whether issues can be narrowed by the filing of preliminary stipulations.

vii. Organizing counsel to include the designation of lead counsel and liaison counsel, the role of other counsel, and responsibility for the preparation and maintenance of a service list.

viii. Establishing procedures for addressing emergencies, including the use of telephone/ remote conferences.

ix. Identifying present or potential future related litigation, including the transfer and consolidation of intra-circuit civil cases; civil cases in other circuits; and/or criminal proceedings and investigations.

x. If the case is filed as a class action: establishing a procedure, discovery schedule and deadlines, and a hearing date to determine the issue of class certification, to include a briefing schedule, exchange of witness and exhibit lists, and clarifying disputed issues of fact and law.

xi. Estimating the time needed for trial and setting a tentative trial date.

xii. Any of the issues set forth in Florida Rule of Civil Procedure 1.200(a).



B. At the case management conference, the Judge/Case Manager will address the unresolved provisions of the Case Management Plan and, if before a Case Manager, submit a proposed plan for the Court's consideration and approval.

C. The proceedings at the case management conference will not be reported unless requested by a participant who makes prior arrangements with a court reporter.

3. **Alternative to attending Case Management Conference.** As an alternative to attending a case management conference, counsel and self-represented parties may comply with this order by submitting an "Agreed Case Management Plan" to the Judge in county civil cases and to the Case Manager in circuit civil cases. The Plan must be signed by all counsel and self-represented litigants and received by the Judge/Case Manager not later than **7 calendar days** prior to the conference. Upon written approval by the Court, the Agreed Case Management Plan will be filed with the Clerk of Court, a copy served on all counsel and/or parties of record, and the case management conference shall be cancelled. If the Court does not approve of the Agreed Case Management Plan, the case management conference will **not** be cancelled. Applicable forms are available on the Court's website at: <http://www.ca.cjis20.org/web/services/jacs.asp>.

4. **Sanctions.** Counsel and/or parties are hereby cautioned that misconduct, failure to attend the case management conference or noncompliance with the terms of this order may result in sanctions by the Court. Sanctions may include the assessment of special costs, including attorney's fees, the striking of pleadings and/or the dismissal of the action.

DONE AND ORDERED in _____, _____ County on _____, 20__.

Circuit/County Judge

Copies to:

(Insert ADA language)



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

Plaintiff(s),

vs.

CASE NO:

Defendant(s).
_____ /

AGREED CASE MANAGEMENT PLAN AND ORDER
(Circuit Civil Cases)

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

Case Track Assignment¹ (check one):

- _____ **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 Fla. R. Civ. P. 1.201)

Case Deadlines and Events

<i>DEADLINE OR EVENT</i>	<i>AGREED DATE</i>
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	
Motions to Add Parties or to Amend Pleadings	
Disclosure of Fact Witnesses Plaintiff(s): Defendant(s):	

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.



DEADLINE OR EVENT	AGREED DATE
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 the 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 unless the parties agree to another form of ADR. If early ADR is selected and it does not result in settlement or disposition of this entire action, a case management conference will be scheduled within 45 days from the date of ADR) Deadline: Type of ADR:	
Deadline for Filing Dispositive Motions (Court requires filing not later than 10 days prior to the pretrial conference)	
Pretrial 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 the Pretrial 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, the Court may on its own motion set the case for trial)	
Estimated Length of Trial <i>(specify the number of trial days):</i>	
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: _____

Signature, address and telephone number of Counsel and Unrepresented Parties. Counsel must state Fl Bar number:

 PLAINTIFF’S COUNSEL
 Address
 Telephone #
 Fax #
 E-Mail Address
 Florida Bar #

 DEFENDANT’S COUNSEL
 Address
 Telephone #
 Fax #
 E-Mail Address
 Florida Bar #

 Or, if pro se, PLAINTIFF
 Address
 Telephone #

 Or, if pro se, DEFENDANT
 Address
 Telephone #

ORDER APPROVING AGREED CASE MANAGEMENT PLAN

THE COURT having reviewed the preceding 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.**

DONE AND ORDERED in _____, _____ County, Florida on _____, 20__.

 Circuit Judge

Copies To:

