THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA

CASE NO. 24-1
(Court Administration)

ADMINISTRATIVE ORDER
NO. 24-20
(Rescinding AO No. 21-09/Case No. 21-1)

IN RE: RE-ESTABLISHMENT OF PROCEDURES FOR ACTIVE CASE MANAGEMENT IN THE CIRCUIT CIVIL DIVISION

WHEREAS, *In re: Comprehensive COVID-19 Emergency Measures for Florida Trial Courts*, Fla. S. Ct. Admin. Order No. AOSC20-23A12 (April 13, 2021) required chief judges to issue an administrative order requiring the presiding judge for each civil case (as defined in footnote 13 of AOSC20-23A12) to actively manage civil cases as specified therein; and

WHEREAS, Eleventh Judicial Circuit Administrative Order No. 21-09 was issued in accordance with AOSC20-23A12 in regard to Circuit Civil cases; and

WHEREAS, on May 23, 2024, the Florida Supreme Court entered *In re Amendments to Florida Rules of Civil Procedure*, 386 So. 3d 497 (Fla. 2024), which amended certain Rules of Civil Procedure to further enhance active case management of civil cases, including amending Florida Rule of Civil Procedure 1.200 to require the Chief Judge of each judicial circuit to enter an administrative order addressing certain case management requirements; and

WHEREAS, on December 5, 2024, after considering comments and oral argument regarding its May 23, 2024, opinion, the Florida Supreme Court entered *In re Amendments to Florida Rules of Civil Procedure*, No. SC2023-0962, 2024 WL 4983566 (Fla. Dec. 5, 2024), which adopted additional amendments to the Florida Rules of Civil Procedure; and

WHEREAS, the Florida Supreme Court's amendments to Rule 1.200 codify most of the requirements of AOSC20-23A12, but modify or refine some requirements; and

WHEREAS, the amendments to Rule 1.200 adopted by the Florida Supreme Court are to become effective on January 1, 2025; and

WHEREAS, this Administrative Order is issued in accordance with Rule 1.200; and

WHEREAS, this Administrative Order contemplates that the Florida Rules of Civil Procedure will be enforced on a consistent and just basis, that access to hearing time will be consistently and reasonably available, that counsel will utilize access to the Court wisely and

appropriately, and that to the fullest extent possible, the Court, counsel, and the parties will work to consistently move cases to timely resolution; and

WHEREAS, all judges within this circuit are directed to strictly comply with Florida Rules of General Practice and Judicial Administration 2.545(a), (b), and (e), which respectively require judges to conclude litigation as soon as it is reasonably and justly possible to do so, to take charge of all cases at an early stage and to control the progress of the case thereafter until it is determined, and to apply a firm continuance policy allowing continuances only for good cause shown; and

WHEREAS, the purpose of a case management order issued pursuant to this Administrative Order shall be to set a plan for consistent progress towards the timely resolution of each case and to set reasonable expectations for the client, the attorneys, and the Court in every case.

NOW, THEREFORE, pursuant to the authority vested in me as Chief Judge of the Eleventh Judicial Circuit of Florida under Rule 2.215, Florida Rules of General Practice and Judicial Administration, it is hereby **ORDERED**:

The following requirements apply to all cases in the Civil Division of the Circuit Court, except those listed as exceptions under Rule 1.200(a).

I. TRACK DETERMINATION

No later than 120 days after an action commences as provided in Rule 1.050, each case to which this Administrative Order applies shall be reviewed to determine whether it is complex, streamlined, or general.

A. Track assignments are not based on the monetary value of the case, but rather on complexity and discovery needs.

B. Definitions of Case Track Assignments Complex, streamlined, and general are defined as:

1. **Complex Civil Cases** - actions that have been or may be designated by court order as complex under Florida Rules of Civil Procedure 1.201 and those action types that have historically required significant discovery and typically involve more than 20 witnesses excluding records custodians. These are cases involving expert knowledge or expertise about the subject of the controversy. Upon such designation, the action will proceed as provided in the rule, with an anticipated resolution/trial date no later than 24 months after being designated as complex. Generally, it is expected that the case will be identified as complex no later than 120 days after filing.

2. **Streamlined Civil Cases** – streamlined civil cases are cases that reflect some mutual knowledge about the underlying facts, have limited needs for discovery (the discovery required to establish contested facts involves less than 10 witnesses,

excluding records custodians), well-established legal issues related to liability and damages, few anticipated dispositive pretrial motions, minimal documentary evidence, and an anticipated trial length of no more than 3 days. Uncontested cases should generally be presumed to be streamlined cases.

3. **General Civil Cases** - all other civil cases, which are cases in which one party has more knowledge of the subject of the controversy than the other, but which will generally require fewer than 20 depositions, excluding records custodians.

C. The Court has established presumptive track assignments set forth in the current track assignment attached as Exhibit A. A current version of the operative schedule will be available on the Eleventh Circuit Webpage at: https://www.jud11.flcourts.org/docs/CASE%20MANAGEMENT%20TRACK%20ASSIGNMENTS.docx. This schedule may be amended as appropriate without the necessity of amending this AO, so parties are urged to check the link for the most up to date information.

D. The track assignment affects the case management schedule. Where the facts of the case support a track change, parties may request a track change by motion, demonstrating good cause and, with specificity, a sufficient factual basis to support a different assignment. Any motion to change the track to which a case is assigned must be filed promptly after the appearance of good cause to support the motion. Such a motion must be supported by a proposed case management plan.

E. A track assignment may be changed by the court on its own motion.

II. ISSUING CASE MANAGEMENT ORDERS

A. Complex Cases

- Case management orders in complex cases must be issued as provided in Rule 1.201.

B. Existing Streamlined and General Cases

- For streamlined and general cases actions commenced before January 1, 2025, and in which the court has not issued a case management order by that date, a case management order must be issued by April 4, 2025.

- Case management orders already in effect on January 1, 2025, continue to govern pending actions. No additional case management order need be entered. However, any extensions of deadlines specified in those existing case management orders are governed by amended Rule 1.200.

C. New Streamlined and General Cases Filed on Or After January 1, 2025

- For streamlined and general cases commenced on or after January 1, 2025, a case management order must be entered no later than 120 days after the action commences.

III. CASE MANAGEMENT ORDER REQUIREMENTS

This administrative order is intended to implement the requirements of Florida Rules of General Practice and Judicial Administration 2.545[1] and Florida Rules of Civil Procedure 1.010[2] to honor the requirement to progress cases to resolution.[3] Counsel are required to follow the Case Management Order entered in their case. Failure to follow the scheduling deadlines of the order will result in sanctions by the presiding judge in the case. The presiding judge may sanction counsel, sanction clients, dismiss the action, strike pleadings, limit proof by excluding witnesses or exhibits, or take any other appropriate actions.

A. The case management order must specify the projected date of trial; indicate that the deadlines established in the order will be strictly enforced unless changed by court order; and indicate that a firm trial date will be ordered by the presiding judge no later than 45 days before the projected trial period set forth in the case management order pursuant to Florida Rules of Civil Procedure 1.440.

B. The maximum deadlines specified pursuant to this subsection, as well as the projected date of trial, must be consistent with the time standards specified in Florida Rules of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.

[1] "Judges and lawyers have a professional obligation to conclude litigation as soon as it is reasonably and justly possible to do so. However, parties and counsel shall be afforded a reasonable time to prepare and present their case."

[2] The Florida Rules of Civil Procedure "shall be construed to secure the just, speedy, and inexpensive determination of every action."

[3] Lawyers must strictly comply with Florida Rules of General Practice and Judicial Administration 2.545(a), which requires lawyers to conclude litigation as soon as it is reasonably and justly possible to do so. The pandemic alone is not a basis for a lawyer's failure to prepare a case for trial or otherwise actively manage a case.

C. The Case Management Order must include the following deadlines:

CASE MANAGEMENT ORDER DEADLINES
Deadline for Service of Complaint
Deadline for Service Under Extensions
Deadline for Rule 1.280(a) Initial Discovery Disclosures:
Deadline for Filing and Resolution of All Objections to Pleadings
Deadline for Filing and Resolution of All Pretrial Motions
Deadline for Propounding Requests for Production, Requests to Admit and Interrogatories
Deadline for Initial Scheduling and Setting Depositions
Deadline for Adding Parties
Deadline for Witness and Exhibit List
Deadline for Inspections/Examinations
Deadline for Fact Discovery Completion (Including Depositions)
Deadline for Expert Disclosure
Deadline for Expert Discovery Completion
Deadline for Filing and Service of Motions for Summary Judgment
Deadline for Dispositive Motions
Deadline for Resolution of all Pretrial Motions (Motions in Limine and Daubert) and Jury Instructions
Deadline for Alternative Dispute Resolution/Mediation
Projected Trial Date

IV. CASE MANAGEMENT ORDERS

1. In accordance with Rule 1.200(i) the form case management orders for general and streamlined cases in Circuit Civil court are set forth in Exhibits B and C, respectively.

2. For complex cases where the court approves a case management order that the parties have agreed to, the form set forth in Exhibit D may be used.

3. Parties may seek an amended case management order within 30 days of receipt of the Court's Case Management Order. Parties should make an effort to comply with the case management schedule before objecting.

4. Any motions to extend a deadline, amend a case management order, or alter a projected trial period must comply with the requirements of Rule 1.200(e)(3); Specifically, such motions must specify:

    - the basis of the need for the extension, including when the basis became known to the movant;

    - whether the motion is opposed;

    - the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and

    - the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.

General objections having to do with attorney workload, staffing, and scheduling conflicts should be discussed with clients directly before being brought to the court; and will be given limited weight.

V. ADDITIONAL REQUIREMENTS

A. Plaintiffs must serve their actions promptly. Service issues must be addressed promptly and with diligence. No extensions pursuant to Florida Rules of Civil Procedure 1.070 will be granted without specific proof of diligent effort to effect service and a written explanation of what efforts the Plaintiff intends to pursue to effect service successfully, with proposed deadlines.

B. Throughout case management process, counsel have an obligation to meet and confer to deliver the reports, engage in necessary scheduling, and otherwise progress the case in compliance with any case management order entered under this Administrative Order.

C. Notices of unavailability have no effect on the deadlines set by the case management order. If a party is unable to comply with a deadline in a case management order, the party must take action consistent with Rule 1.200(e)(1).

D. Motions to continue trial are disfavored and should rarely be granted and then only upon good cause shown.

E. If a trial is not reached during the trial period set by court order, the court must enter an order setting a new trial period that is as soon as practicable, given the needs of the case and resources of the court. The order resetting the trial period must reflect what further activity will or will not be permitted.

VI. RESCINDING OF PREVIOUS ADMINISTRATIVE ORDER AND EFFECTIVE DATE OF THIS ADMINISTRATIVE ORDER

Administrative Order No. 21-09 is **RESCINDED** in its entirety and held for naught.

This Administrative Order will become effective on January 1, 2025, and will remain in effect until further order of the Court. To the extent that any portion of this Administrative Order may be construed as conflicting with any law, statute, or rule, the law, statute, or rule will prevail.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 30th day of December 2024.

NUSHIN G. SAYFIE, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

EXHIBIT A

CASE MANAGEMENT TRACK ASSIGNMENTS

	Case Track Assignment
ANTITRUST/TRADE REGULATION	Complex
AUTO NEGLIGENCE	General
BOND ESTREATURE	Streamlined
BUSINESS GOVERNANCE	Complex
BUSINESS MALPRACTICE	Complex
BUSINESS TORT	Complex
BUSINESS TRANSACTIONS	Complex
CHALLENGE -STATUTE OR ORDINANCE	Complex
CIVIL FORFEITURE	Streamlined
COMM PREMISES LIABILITY	General
CONDOMINIUM	Streamlined
CONSTRUCTION DEFECT	Complex
CONSTRUCTION LIEN	Streamlined
CONTRACT & INDEBTEDNESS	Streamlined
CORPORATE TRUST	Complex
DECLATORY JUDGMENT	Streamlined
DISCRIMINATION -EMPLOYMENT OR OTHER	General
EMINENT DOMAIN	Complex
ENVIRONMENTAL/TOXIC TORT	Complex
EQUITABLE RELIEF	Streamlined
INJUNCTIVE RELIEF	Streamlined
INSURANCE CLAIM	Streamlined
INTELLECTUAL PROPERTY	Complex
LEGACY CIRCUIT MORTGAGE FORECLOSURE	Streamlined
LIBEL/SLANDER	General
MEDICAL MALPRACTICE	Complex
NEGLIGENT SECURITY	General
NURSING HOME NEGLIGENCE	Complex
OTHER CIVIL COMPLAINT (NON-MONETARY)	General
OTHER NEGLIGENCE	Streamlined
OTHER PROFESSIONAL MALPRACTICE	Complex
PERSONAL INJURY PROTECTION	Streamlined
PRODUCT LIABILITY	Complex
REPLEVIN	Streamlined
RESID. PREM LIABILITY	General
RPMF -COM	Streamlined
RPMF -COM $0-$50,000	Streamlined
RPMF -COM $250,000 OR MORE	Streamlined

RPMF -COM $50,001-$249,999	Streamlined
RPMF -HOMESTEAD	Streamlined
RPMF -HOMESTEAD $0-$50,000	Streamlined
RPMF -HOMESTEAD $250,000 OR MORE	Streamlined
RPMF -HOMESTEAD $50,001-$249,999	Streamlined
RPMF -NON-HOMESTEAD	Streamlined
RPMF -NON-HOMESTEAD $0-$50,000	Streamlined
RPMF -NON-HOMESTEAD $250,000 OR MORE	Streamlined
RPMF -NON-HOMESTEAD $50,001-$249,999	Streamlined
RPMF -OTHER ACTION	Streamlined
RPMF -OTHER ACTION $0-$50,000	Streamlined
RPMF -OTHER ACTION $250,000 OR MORE	Streamlined
RPMF -OTHER ACTION $50,001-$249,999	Streamlined
SECURITIES LITIGATION	Complex
SHAREHOLDER DERIVATIVE	Complex
THIRD PARTY INDEMNIFICATION	General
TRADE SECRETS	Complex
TRUST LITIGATION	Complex
VOLUNTARY BINDING ARBITRATION	General
WITNESS PROTECTION	Complex

EXHIBIT B

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:
SECTION:
JUDGE:

Plaintiff(s),

v.

Defendant(s).

_____/

CASE MANAGEMENT ORDER (GENERAL PATHWAY)

THIS CAUSE came before the Court on case management review. Based on the review of the file, and pursuant to Florida Rules of Civil Procedure 1.200, as well as Florida Rules of General Practice and Judicial Administration 2.545, the Court has established Case Management Deadlines, and it is hereby:

ORDERED that:

1. The parties must strictly comply with the deadlines established in this order, which will be strictly enforced unless changed by Court order. Parties should expect that the case will be tried during the projected trial period specified, without continuances. The parties cannot agree to extend the deadlines except as specified in Florida Rules of Civil Procedure 1.200(e), and cannot agree to waive any portion of the provisions of this order. Failing to request an extension of service or effectuate service of process by the deadlines set forth in this order may result in dismissal pursuant to Rule 1.070(j).
2. **Procedural Requirements**: In addition to strict adherence to the Florida Rules of Civil Procedure and the Administrative Orders of the Court, the parties must comply with the Case Management Procedures in this order. The parties may not unilaterally extend any of the deadlines contained in the Case Management Procedures. Deadlines may be altered by the Court where the interests of justice so require, upon prompt motion, notice, and hearing.

CASE MANAGEMENT DEADLINES	
The parties must strictly comply with these Case Management Deadlines unless changed by Court order	
Deadline for Service of Complaint:	
Deadline for Service Under Extensions:	
Deadline for Rule 1.280(a) Initial Discovery Disclosures:	
Deadline for Filing and Resolution of All Objections to Pleadings:	
Deadline for Filing and Resolution of All Pretrial Motions:	
Deadline for Propounding Requests for Production, Requests to Admit and Interrogatories:	
Deadline for Initial Scheduling and Setting Depositions:	
Deadline for Adding Parties:	
Deadline for Witness and Exhibit List:	
Deadline for Inspections/Examinations:	
Deadline for Fact Discovery Completion (Including Depositions):	
Deadline for Expert Disclosure:	
Deadline for Expert Discovery Completion:	
Deadline for Filing and Service of Motions for Summary Judgment:	
Deadline for Dispositive Motions:	
Deadline for Resolution of all Pretrial Motions (Motions in Limine and Daubert) and Jury Instructions:	
Deadline for ADR/Mediation:	
Projected Trial Date:	

CASE MANAGEMENT PROCEDURES
Motion Practice

1. **Duty to Communicate**: In accordance with Florida Rules of Civil Procedure 1.202(a), before filing a non-dispositive motion, except for those motions exempted by Rule 1.202(c), the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion. If the parties are represented by counsel, such conferral must be between counsel, *not through staff*. "Good faith" includes being professional and temperate in communications, returning phone calls and emails in a timely manner, and not setting unreasonable deadlines for responses. The movant must file a certificate of conferral substantially in the form provided by Florida Rules of Civil Procedure 1.202(b), either certifying that conferral occurred or certifying that conferral is not required under Rule 1.202. Failure to comply with the requirements of Rule 1.202 may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under Rule 1.202 may result in an appropriate sanction.

2. **Scheduling of Hearings**: Motions filed (other than dispositive motions or those requiring testimony) must be noticed for hearing on the first available motion calendar. Motions not promptly set for hearing, and motions that do not require a hearing pursuant to the rules, may be ruled upon by the Court on the papers.

3. **Compelling Discovery where there has been no response**: The parties are to comply with Administrative Order No. 06-09 when moving to compel production of propounded discovery. These motions must be submitted via courtMAP with supporting documents and may not be placed on motion calendar.

4. **Motions for Protective Order**: Motions for protective order must be filed as soon as the grounds are known. Counsel should be coordinating deposition dates for specific parties/witnesses and have a duty to confer regarding any issues that would be the subject of a motion for protective order prior to scheduling the deposition. The filing of the motion must not be delayed until immediately prior to the scheduled deposition. A motion for protective order does not automatically stay the deposition and the deposition will proceed unless an order granting the motion is entered by the Court.

5. **Motions for Extension**: Any motion to extend a deadline, amend a case management order, or alter a projected trial period must specify:

    (A) the basis of the need for the extension, including when the basis became known to the movant;

    (B) whether the motion is opposed;

    (C) the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and

    (D) the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.

If extending an individual case management deadline may affect a subsequent deadline in the case management order, parties must seek an amendment of the case management order, rather than submitting a motion for extension of an individual deadline.

The Court may rule upon submission of a motion for extension of time without a hearing. Any motion for extension of time must be preceded by a meet and confer with opposing counsel and absent agreement, be set for hearing immediately upon filing. Counsel should be prepared to respond promptly in the event the motion is denied.

6. **Dispositive Motions**: Motions which may dispose of specific issues, portions of the case or the entire case should be filed and set within the time set forth in the case management order. Parties wishing to pursue a dispositive motion should target the essential discovery promptly.

7. **Amendment of Pleadings**: Motions to amend should be filed so as not to affect the date of trial. Although the Court recognizes the rule of liberality with regard to amendment of pleadings, liberality declines with an approaching trial date unless the amendment involves newly discovered information not previously available. Review your pleadings for necessary amendment(s) early, not as part of last-minute trial preparation.

Discovery

8. **Initial Discovery Disclosure:** Except as exempted by Florida Rules of Civil Procedure 1.280(a)(2) or as otherwise ordered by the Court, a party must, without awaiting a discovery request, within 60 days after the service of the complaint provide to the other parties the following initial discovery disclosures unless privileged or protected from disclosure:

   (A) the name and, if known, the address, telephone number, and e-mail address of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;

   (B) a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control (or, if not in the disclosing party's possession, custody, or control, a description by category and location of such information) and may use to support its claims or defenses, unless the use would be solely for impeachment;

   (C) a computation for each category of damages claimed by the disclosing party and a copy of the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; provided that a party is not required to provide computations as to noneconomic damages, but the party must identify categories of damages claimed and provide supporting documents; and

(D) a copy of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

If a party fails to make a disclosure required by Rule 1.280(a), any other party may move to compel disclosure and for appropriate sanctions.

9. **Written Discovery must be propounded promptly**:

a. **Scope of Discovery**: Parties may obtain discovery in accordance with Florida Rules of Civil Procedure 1.280(c)(1).

b. **Objections**: If objections to written discovery involve the phrasing of the request or time frame of any discovery request, these objections may not be extended (even if the parties agree) and are due at the time the initial response is due. Failure to timely make these objections constitutes a waiver. Parties must comply with the "Duty to Communicate" above, prior to setting timely made objections for hearing.

c. **Documents made available for inspection and copying**: If discovery responses provide that the documents are available for inspection and copying at a mutually convenient time and place, the responding party must immediately (within 48 hours) provide three alternative dates and times that the documents are available for inspection and copying. All of the dates must be within ten (10) days. Failure to provide the dates and times constitutes a failure to respond to discovery. Review must occur within fifteen (15) days of the response, absent extraordinary circumstances. Examples of "extraordinary circumstances" include a sole practitioner in trial on another case, a medical emergency, prepaid vacation, and a death in the family.

d. **Privilege Logs**: Privilege logs are due at the time of the response and may not be reserved to be provided later. Privilege logs must specifically identify the document in accordance with Florida Rules of Civil Procedure 1.280(c)(6).

Failure to timely provide the privilege log may result in the waiver of the privilege. This procedure requires preparation of a privilege log with respect to all documents, electronically stored information, things and oral communications withheld on the basis of a claim of privilege or work product except the following: written and oral communications between a party and their counsel after commencement of the action and work product material created after commencement of the action.

Parties are instructed that where they believe that the divulgence of the logging information would necessarily cause disclosure of the allegedly privileged information, they must identify that the item exists and that *in camera* review by the Court will be sought. The item may be described generically. However, if the Court determines that there is nothing inherent in the divulgence of the existence of the document or the logging information required that would violate privilege, the

Court will impose sanctions for any *in camera* request determined to be frivolous. *In camera* requests by the party claiming the privilege must be signed by both the requesting attorney and the client, so as to assure that all are aware of the request and the consequences.

e. **Expert Disclosure**: Parties should furnish opposing counsel with the names and addresses of all expert witness under Florida Rules of Civil Procedure 1.390(a) to be called at trial and all information regarding expert testimony that is required by Florida Rules of Civil Procedure 1.280(c)(5). Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial. Information furnished pursuant to this paragraph should be timely filed.

10. **Depositions**: The parties are ordered to block time now for necessary depositions to be set in this case. Expert deposition time should be coordinated and blocked as soon as experts are known to ensure compliance with this schedule. Depositions may commence at any time. Refer to Paragraph 4 above regarding motions for protective order.

11. **Duty to Supplement and Correct**: A party who has made a disclosure or who has responded to an interrogatory, a request for production, or a request for admission must supplement or correct its disclosure or response in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

Witness and Exhibits Lists

12. **Witness and Exhibit Lists**: The parties must timely exchange their witness and exhibit lists. The lists must include complete proper names and addresses. If counsel chooses to list their bar address as the witness' address, counsel is deemed to have agreed to produce the witness voluntarily as they have withheld the information necessary for a witness subpoena, and counsel will be responsible for assuring that witness' presence at trial.

Mediation

13. **Mediation**: Parties must mediate by the Court's deadline. The parties are responsible for assuring that they have all the necessary information to value their position prior to mediation. If the parties fail to mediate before the mediation deadline, sanctions shall be imposed by the Court. Failure to timely mediate does not constitute just cause for a trial continuance.

Setting Trial

14. **Trial Order**: At least 45 days before the projected trial period set forth in the case management order the Court will issue a trial order fixing the trial period. Should the Court fail to issue a trial order at least 45 days prior to the projected trial period, Plaintiff must notify the Court to schedule a case management conference.

15. **Motions to Continue Trial**: Motions to continue trial are disfavored and will rarely be granted, and then only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence in preparing for trial is not grounds to continue the case. Motions for continuance based on parental leave are governed by Florida Rules of General Practice and Judicial Administration 2.570. A motion to continue trial must be in writing unless made at a trial and, except for good cause shown, must be signed by the named party requesting the continuance.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida on this _____ day of _____.

_____

CIRCUIT JUDGE

EXHIBIT C

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO:
SECTION:
JUDGE:

Plaintiff(s),

v.

Defendant(s).

_____/

CASE MANAGEMENT ORDER (STREAMLINED PATHWAY)

THIS CAUSE came before the Court on case management review. Based on the review of the file, and pursuant to Florida Rules of Civil Procedure 1.200, as well as Florida Rules of General Practice and Judicial Administration 2.545, the Court has established Case Management Deadlines, and it is hereby:

ORDERED that:

1. The parties must strictly comply with the deadlines established in this order, which will be strictly enforced unless changed by Court order. Parties should expect that the case will be tried during the projected trial period specified, without continuances. The parties cannot agree to extend the deadlines except as specified in Florida Rules of Civil Procedure 1.200(e), and cannot agree to waive any portion of the provisions of this order. Failing to request an extension of service or effectuate service of process by the deadlines set forth in this order may result in dismissal pursuant to Rule 1.070(j).
2. **Procedural Requirements**: In addition to strict adherence to the Florida Rules of Civil Procedure and the Administrative Orders of the Court, the parties must comply with the Case Management Procedures in this order. The parties may not unilaterally extend any of the deadlines contained in the Case Management Procedures. Deadlines may be altered by the Court where the interests of justice so require, upon prompt motion, notice, and hearing.

CASE MANAGEMENT DEADLINES	
The parties must comply with these Case Management Deadlines unless changed by Court order.	
Deadline for Service of Complaint:	
Deadline for Service Under Extensions:	
Deadline for Propounding Requests for Production, Requests to Admit and Interrogatories:	
Deadline for Filing and Resolution of All Objections to Pleadings	
Deadline for Filing and Resolution of All Pretrial Motions	
Deadline for Witness and Exhibit List:	
Deadline for Rule 1.280(a) Initial Discovery Disclosures:	
Deadline for Initial Scheduling and Setting Depositions:	
Deadline for Adding Parties:	
Deadline for Inspections/Examinations:	
Deadline for Expert Disclosure:	
Deadline for Fact Discovery Completion (Including Depositions):	
Deadline for Expert Discovery Completion:	
Deadline for Filing and Service of Motions for Summary Judgment:	
Deadline for Dispositive Motions:	
Deadline for Resolution of all Pretrial Motions (Motions in Limine and Daubert) and Jury Instructions:	
Deadline for ADR/Mediation:	
Projected Trial Date:	

CASE MANAGEMENT PROCEDURES
Motion Practice

1. **Duty to Communicate**: In accordance with Florida Rules of Civil Procedure 1.202(a), before filing a non-dispositive motion, except for those motions exempted by Rule 1.202(c), the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion. If the parties are represented by counsel, such conferral must be between counsel, not through staff. "Good faith" includes being professional and temperate in communications, returning phone calls and emails in a timely manner, and not setting unreasonable deadlines for responses. The movant must file a certificate of conferral substantially in the form provided by Florida Rules of Civil Procedure 1.202(b), either certifying that conferral occurred or certifying that conferral is not required under Rule 1.202. Failure to comply with the requirements of Rule 1.202 may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under Rule 1.202 may result in an appropriate sanction.

2. **Scheduling of Hearings**: Motions filed (other than dispositive motions or those requiring testimony) must be noticed for hearing on the first available motion calendar. Motions not promptly set for hearing may be ruled upon by the Court on the papers.

3. **Compelling Discovery where there has been no response**: The parties are to comply with Administrative Order 06-09 when moving to compel production of propounded discovery. These motions must be submitted via courtMAP with supporting documents and may not be placed on motion calendar.

4. **Motions for Protective Order**: Motions for protective order must be filed as soon as the grounds are known. Counsel should be coordinating deposition dates for specific parties/witnesses and have a duty to confer regarding any issues that would be the subject of a motion for protective order prior to scheduling the deposition. The filing of the motion must not be delayed until immediately prior to the scheduled deposition. A motion for protective order does not automatically stay the deposition and the deposition will proceed unless an order granting the motion is entered by the Court.

5. **Motions for Extension**: Any motion to extend a deadline, amend a case management order, or alter a projected trial period must specify:

    (A) the basis of the need for the extension, including when the basis became known to the movant;

    (B) whether the motion is opposed;

    (C) the specific date to which the movant is requesting the deadline or projected trial period be extended, and whether that date is agreed by all parties; and

    (D) the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.

If extending an individual case management deadline may affect a subsequent deadline in the case management order, parties must seek an amendment of the case management order, rather than submitting a motion for extension of an individual deadline.

The Court may rule upon submission of a motion for extension of time without a hearing. Any motion for extension of time must be preceded by a meet and confer with opposing counsel and absent agreement, be set for hearing immediately upon filing. Counsel should be prepared to respond promptly in the event the motion is denied.

6. **Dispositive Motions**: Motions which may dispose of specific issues, portions of the case or the entire case should be filed and set within the time set forth in the case management order. Parties wishing to pursue a dispositive motion should target the essential discovery promptly.

7. **Amendment of Pleadings**: Motions to amend should be filed so as not to affect the date of trial. Although the Court recognizes the rule of liberality with regard to amendment of pleadings, liberality declines with an approaching trial date unless the amendment involves newly discovered information not previously available. Review your pleadings for necessary amendment(s) early, not as part of last-minute trial preparation.

Discovery

8. **Initial Discovery Disclosure:** Except as exempted by Florida Rules of Civil Procedure 1.280(a)(2) or as otherwise ordered by the Court, a party must, without awaiting a discovery request, within 60 days after the service of the complaint provide to the other parties the following initial discovery disclosures unless privileged or protected from disclosure:

   (A) the name and, if known, the address, telephone number, and e-mail address of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment;

   (B) a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control (or, if not in the disclosing party's possession, custody, or control, a description by category and location of such information) and may use to support its claims or defenses, unless the use would be solely for impeachment;

   (C) a computation for each category of damages claimed by the disclosing party and a copy of the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; provided that a party is not required to provide computations as to noneconomic damages, but the party must identify categories of damages claimed and provide supporting documents; and

(D) a copy of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

If a party fails to make a disclosure required by Rule 1.280(a), any other party may move to compel disclosure and for appropriate sanctions.

9. **Written Discovery must be propounded promptly**:

a. **Scope of Discovery**: Parties may obtain discovery in accordance with Florida Rules of Civil Procedure 1.280(c)(1).

b. **Objections**: If objections to written discovery involve the phrasing of the request or time frame of any discovery request, these objections may not be extended (even if the parties agree) and are due at the time the initial response is due. Failure to timely make these objections constitutes a waiver. Parties must comply with the "Duty to Communicate" above, prior to setting timely made objections for hearing.

c. **Documents made available for inspection and copying**: If discovery responses provide that the documents are available for inspection and copying at a mutually convenient time and place, the responding party must immediately (within 48 hours) provide three alternative dates and times that the documents are available for inspection and copying. All of the dates must be within ten (10) days. Failure to provide the dates and times constitutes a failure to respond to discovery. Review must occur within fifteen (15) days of the response, absent extraordinary circumstances. Examples of "extraordinary circumstances" include a sole practitioner in trial on another case, a medical emergency, prepaid vacation, and a death in the family.

d. **Privilege Logs**: Privilege logs are due at the time of the response and may not be reserved to be provided later. Privilege logs must specifically identify the document in accordance with Florida Rules of Civil Procedure 1.280(c)(6).

Failure to timely provide the privilege log may result in the waiver of the privilege. This procedure requires preparation of a privilege log with respect to all documents, electronically stored information, things and oral communications withheld on the basis of a claim of privilege or work product except the following: written and oral communications between a party and their counsel after commencement of the action and work product material created after commencement of the action.

Parties are instructed that where they believe that the divulgence of the logging information would necessarily cause disclosure of the allegedly privileged information, they must identify that the item exists and that *in camera* review by the Court will be sought. The item may be described generically. However, if the Court determines that there is nothing inherent in the divulgence of the existence of the document or the logging information required that would violate privilege,

the Court will impose sanctions for any *in camera* request determined to be frivolous. *In camera* requests by the party claiming the privilege must be signed by both the requesting attorney and the client, so as to assure that all are aware of the request and the consequences.

e. **Expert Disclosure**: Parties should furnish opposing counsel with the names and addresses of all expert witness under Florida Rules of Civil Procedure 1.390(a) to be called at trial and all information regarding expert testimony that is required by Florida Rules of Civil Procedure 1.280(c)(5). Each party is limited to one expert per specialty. No other expert testimony should be permitted at trial. Information furnished pursuant to this paragraph should be timely filed.

10. **Depositions**: The parties are ordered to block time now for necessary depositions to be set in this case. Expert deposition time should be coordinated and blocked as soon as experts are known to ensure compliance with this schedule. Depositions may commence at any time. Refer to Paragraph 4 above regarding motions for protective order.

11. **Duty to Supplement and Correct**: A party who has made a disclosure or who has responded to an interrogatory, a request for production, or a request for admission must supplement or correct its disclosure or response in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

Witness and Exhibits Lists

12. **Witness and Exhibit Lists**: The parties must timely exchange their witness and exhibit lists. The lists must include complete proper names and addresses. If counsel chooses to list their bar address as the witness' address, counsel is deemed to have agreed to produce the witness voluntarily as they have withheld the information necessary for a witness subpoena, and counsel will be responsible for assuring that witness' presence at trial.

Mediation

13. **Mediation**: Parties must mediate by the Court's deadline. The parties are responsible for assuring that they have all the necessary information to value their position prior to mediation. If the parties fail to mediate before the mediation deadline, sanctions will be imposed by the Court. Failure to timely mediate does not constitute just cause for a trial continuance.

Setting Trial

14. **Trial Order**: At least 45 days before the projected trial period set forth in the case management order the Court will issue a trial order fixing the trial period. Should the Court fail to issue a trial order at least 45 days prior to the projected trial period, Plaintiff must notify the Court to schedule a case management conference.

15. **Motions to Continue Trial**: Motions to continue trial are disfavored and will rarely be granted, and then only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence in preparing for trial is not grounds to continue the case. Motions for continuance based on parental leave are governed by Florida Rules of General Practice and Judicial Administration 2.570. A motion to continue trial must be in writing unless made at a trial and, except for good cause shown, must be signed by the named party requesting the continuance.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida on this_____ day of _____.

_____

CIRCUIT JUDGE

EXHIBIT D

The form of this order may be amended by the circuit from time to time so parties are urged to check the 11th Circuit Webpage at:
https://www.jud11.flcourts.org/docs/CASE%20MANAGEMENT%20ORDER.docx

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION

CIRCUIT CIVIL DIVISION [Div. #]

CASE NO: [Case Number]-CA-01

[Plaintiff]

Plaintiff(s),

vs.

[Defendant]

Defendant(s)
_____/

CASE MANAGEMENT ORDER

THE COURT having reviewed the attached Case Management Plan, incorporated herein, and finding it to be satisfactory, it is therefore

ORDERED AND ADJUDGED that the Case Management Plan is hereby approved and adopted, and the parties shall abide by the terms set forth herein**.**

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

_____
, Circuit Judge

CC: All Counsel of Record