

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

**ADMINISTRATIVE MEMORANDUM
NO. 20-E
CASE NO. – 2020-00024-AF-01**

**IN RE: ESTABLISHMENT OF
COUNTY CIVIL JURY TRIAL PROCEDURES
PHASE 2**

Whereas, as a result of the Coronavirus Disease 2019 (COVID-19) pandemic, consistent with public health advisories and at the direction of the Florida Supreme Court, the Courthouses in Miami-Dade County have been closed to the public and jury trials have been prohibited; and

Whereas, the Covid-19 pandemic and the need to protect public health and safety has resulted in a back log of trials which has significant consequences for the delivery of justice; and

Whereas, Rule 1.010, Florida Rules of Civil Procedure, requires the just, speedy, and inexpensive determination of every action; and

Whereas, the Eleventh Circuit recognizes that, for cases to progress, trials must resume, but must be conducted in a manner that assures public health and with consideration for the safety and the time of citizens called to jury duty; and

Whereas, establishment of uniform trial procedures will ensure efficient and safe jury trials, preserve resources, and increase the likelihood of resolving cases;

Now, therefore, pursuant to the authority vested in me as Administrative Judge of the County Court Civil Division in the Eleventh Judicial Circuit of Florida, and under Rule 2.215, Florida Rules of Judicial Administration, in an effort to carry out this effort in an effective, fair, safe, and efficient manner, the following procedure is hereby ordered:

- 1) In all cases that are to be set for jury trial, the presiding judge must establish a case management order with deadlines for all case events. The parties to the litigation must comply with the case management order.
- 2) The case management order must provide deadlines for completion of all discovery, examinations, and all pre-trial motions (including case dispositive motions, Daubert motions, motions in limine, evidentiary motions, redacting evidence, and rulings on unique issues that are anticipated) and the filing of proposed jury instructions.

- 3) No later than 15 days prior to the trial date, a pre-trial conference must be held. At this conference, all motions shall be heard and ruled upon, draft jury instructions must be completed, and witness and exhibit lists must be completed.
- 4) At the conclusion of the pre-trial conference, the parties and the court must certify the following:
 - a. The case is at issue.
 - b. All discovery is completed.
 - c. All dispositive motions have been filed, heard, and ruled upon.
 - d. All pre-trial motions have been filed, heard, and ruled upon.
 - e. Jury instructions have been filed, argued, and the form and content of jury instructions are finalized (to the extent possible) by the court.
 - f. Exhibits have been exchanged, pre-marked, and stipulated where appropriate.
 - g. Witness lists have been exchanged, and all witnesses are available and secured for trial. **THE TRIAL PERIOD SHALL BE EITHER 1 or 2 weeks, AS DETERMINED BY THE TRIAL JUDGE. CERTIFICATION OF READINESS REQUIRES THE PARTIES, ATTORNEYS, AND WITNESSES TO BE AVAILABLE FOR THE ENTIRE TRIAL PERIOD.**
 - h. An estimated length of trial from commencement through charging the jury, stated as a number of hours.
- 5) Upon completion of (4) above, the attached Certification of Trial Readiness shall be signed by all parties and the presiding Judge. That certification shall be sent to the Administrative Judge for the County Civil Division no less than 14 days prior to the scheduled trial date.
- 6) After filing the Certification of Trial Readiness, the presiding judge shall enter an order placing the case on inactive status. No further discovery, hearings, or other events shall occur on the case until it proceeds to trial. Delay of the case due to any circumstance shall not alter the stay.
- 7) If the number of cases proceeding to trial exceeds capacity, the cases shall be tried in an order to be determined by the Administrative Judge for the County Civil Division or her designee. Parties may be called to appear for trial on 3 hours notice.

THIS ADMINISTRATIVE MEMORANDUM shall be *strictly* complied with. These efforts reflect a need to safely and efficiently bring cases to trial or otherwise to their conclusion during in pandemic conditions. The outlined procedures shall take effect on October 1st, 2020 and shall remain in effect until further notice.

Done and Ordered in Chambers at Miami-Dade County, Florida on Oct. 1, 2020.



**JUDGE LINDA SINGER STEIN
ADMINISTRATIVE JUDGE
COUNTY COURT CIVIL DIVISION**