

**THE ELEVENTH JUDICIAL CIRCUIT
MIAMI-DADE COUNTY, FLORIDA**

**CASE NO. 10-1
(Court Administration)**

**ADMINISTRATIVE ORDER
NO. 09-13-A1
(Amending and Superseding
AO No. 09-13)**

**IN RE: ENLARGEMENT AND
EXPANSION OF THE CURRENT PILOT
PROJECT FOR ELECTRONIC
SUBMISSIONS OF COURTESY COPIES
FOR UNIFORM MOTION CALENDAR
AND REQUESTS FOR SPECIAL SET
HEARINGS, EMERGENCY MOTIONS,
AND PROPOSED ORDERS**

WHEREAS, pursuant to Administrative Order No. 09-13, in an effort to enhance the efficiency of judicial review of motions, exhibits, submitted case law and other hearing specific documents of motion calendar and special set hearings (collectively "Motions") by reducing the quantity of paper work involved in such review in the General Jurisdiction Division (n/k/a and hereinafter referred to as "Circuit Civil Division") of the Circuit Court in the Eleventh Judicial Circuit ("Court"), a pilot project ("Pilot Project"), using Windows SharePoint Services created by Microsoft ("SharePoint") was established in Section CA 15 of the Circuit Civil Division, under the auspices of the Honorable Israel Reyes, Associate Administrative Judge, Circuit Civil Division (hereinafter "Judge Reyes"); and

WHEREAS, the Pilot Project required courtesy copies of the Motions to be electronically transmitted by attorneys to the Court; and

WHEREAS, so as to further determine the effectiveness of SharePoint and begin to expand the Pilot Project to other sections of the Circuit Civil Division, Judge Reyes has volunteered to continue with the implementation of its usage within Section CA 15 of the Circuit Civil Division; and

WHEREAS, based upon the overall success of the Pilot Project as evidenced by the effective participation of attorneys and pro se parties, Judge Reyes' positive assessment, and suggestions from attorneys as to how to enhance the effectiveness of the Pilot Project, it has been determined that the Pilot Project should be enlarged and expanded, with certain procedures and protocol further clarified, to include, inter alia that, preferably, courtesy copies of documents are also electronically transmitted by and

to opposing counsel and pro se parties and in accordance with Rule 2.525(d)(2), Florida Rules of Judicial Administration, the Rules of Civil Procedure, and other applicable rules of the Court;

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

1. **Enlargement.** The Pilot Project requiring the electronic submission of courtesy copies of Motions, is hereby enlarged to include proposed orders (collectively "Motions and Proposed Orders"), utilizing SharePoint, in Section CA 15 of the Circuit Civil Division of the Circuit Court in the Eleventh Judicial Circuit ("Pilot Project").
2. **Effective Date.** The Pilot Project which commenced on Monday, September 28, 2009 and continued for approximately six months is hereby expanded and enlarged to continue until further order of the Court.
3. **Participants.** With the exception of pro se litigants who are unable to electronically furnish the subject items, all attorneys of record shall be required to follow the protocol set forth in paragraph 4 herein below. Pro se litigants who are unable to electronically furnish the subject documents may continue to follow the same procedures regarding submission of courtesy copies for Uniform Motion Calendar, Requests for Special Set Hearings, Emergency Motions and Proposed Orders that were in effect prior to the effective date of Administrative Order No. 09-13.
4. **Protocol.** The following protocol shall be followed for the electronic submission of Motions and Proposed Orders. However, Motions and Proposed Orders for Summary Judgment in residential mortgage foreclosure cases, Motions for Writs of Possession, and Motions to Cancel Sale must be set pursuant to this Circuit's Foreclosure Master Calendar procedures, which may be found at www.jud11.flcourts.org/fmc.htm
 - a. **For all Documents.** All submitted documents shall be titled with the Court Case Number and the name/type of document using the following format: two digit year followed by a hyphen with the sequential case number (e.g., 09-1; 91-12; 08-123; 07-1234; or 09-12345). Do not use zeros after the hyphen to fill in the sequential case number. For example:
 - 10-776 Defendant's Motion to Compel;
 - 99-23 Order Granting Plaintiff's Motion for Continuance;
 - 09-5768 Memorandum of Law in Support of Plaintiff's Motion for Sanctions;
 - 07-4 Affidavit of James Smith

- 02-444 Defendant's Emergency Motion to Stay Proceedings
- 08-3235 Caselaw *Metcalfe v. Lee*

b. **Uniform Motion Calendar.**

- i. Each party may set only one five minute motion per case. Multiple motions must be specially set or set on different motion calendars (one five minute motion per party per case), so as not to encroach on the time the Court is allotting for other litigants/attorneys. Consequently, the parties are advised to use good faith efforts to resolve the issues set forth in the motion **prior** to the setting of a motion; coordinate the date and time of the hearing; and confirm that the hearing shall require no more than five minutes (if the hearing will require more than 5 minutes, then it must be a Special Set Hearing).

In addition to providing proper service pursuant to Rule 1.080(b), Florida Rules of Civil Procedure, courtesy copies of the Motion and Memorandum of Law for the Uniform Motion Calendar (e.g., Notice of Hearing, Motions, Exhibits, submitted case law, and other hearing specific documents) must be electronically attached to an email using either Microsoft Word or WordPerfect format (not as a PDF document) and sent via email to:

- (a) The Court at CA15MotionCalendar@jud11.flcourts.org;
 - (b) Opposing counsel at their fax number as provided to The Florida Bar (see www.FloridaBar.org and then click on "Find a Lawyer") or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent; and
 - (c) Pro se parties at their last known fax number or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent.
- ii. If a scheduling attorney or a scheduling pro se party does not have a fax number, then a courtesy copy of Motions and Proposed orders must be sent as an attachment to the service of process required pursuant to Rule 1.080(b), Florida Rules of Civil Procedure.

- iii. The subject line of the email must contain only the numeric motion calendar hearing date using the following format: mm/dd/yy (two digit month forward slash; two digit day forward slash; two digit year). For example: 06/15/10
- iv. The above referenced email address for the Court is to be exclusively utilized to electronically submit the Motions for the Uniform Motion Calendar. The Court will not respond to any emails sent to the above address nor is the email to contain any explanations, arguments, or messages to the Court.
- v. Hyperlinks in the attachments, (not in the body of the email) are encouraged just as are submissions in Microsoft Word format. Electronic versions submitted in WordPerfect will be converted by the Court to Microsoft Word and there is no guarantee that the document will be converted without error.
- vi. The Court does not require courtesy copies of Final Summary Judgments of Foreclosure.
- vii. Should any scheduled hearing become unnecessary or have to be cancelled, the scheduling attorney or scheduling pro se party shall immediately, but, not later than by Noon on the business day prior to the hearing date and time, send an email to CA15MotionCalendar@jud11.flcourts.org regarding the cancellation of the Motion Calendar hearing with an electronically attached Notice of Cancellation formatted in the same manner (using Microsoft Word or Word Perfect) as the email that scheduled the Motion Calendar hearing and in the same manner as the Motions and Notices. Example of attached file name: 09-13423 Notice of Cancellation.
- viii. The subject line of the email, and not the file name, must contain only the numeric Motion Calendar hearing date that is being cancelled using the following format: mm/dd/yy (two digit month forward slash; two digit day forward slash; two digit year). For example: 06/15/10
- ix. Failure of an attorney or pro se party to appear for a scheduled hearing (other than for lack of due process, emergency, or Court scheduling conflict) may result in sanctions being imposed against the non-appearing attorney or non-appearing pro se party.

- x. A sample email is appended to the Order as Attachment “A”.
- c. **Special Set Hearing.**
- i. In addition to providing proper service pursuant to Rule 1.080(b), Florida Rules of Civil Procedure, a request for the Special Set Hearing (available for download at www.jud11.flcourts.org at Judge Reyes’ webpage) and a courtesy copy of the Motion(s) must be attached electronically to an email using either Microsoft Word or Wordperfect formats (not as a PDF document) and sent via email to:
 - (a) The Court at CA15SpecialSets@jud11.flcourts.org;
 - (b) Opposing counsel at their fax number as provided to The Florida Bar (see www.FloridaBar.org and then click on “Find a Lawyer”) or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent; and
 - (c) Pro se parties at their last known fax number or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent.
 - ii. If a scheduling attorney or a scheduling pro se party does not have a fax number, then a courtesy copy of the documents for the Special Set Hearing must be sent as attachment to the service of process required pursuant to Rule 1.080(b), Florida Rules of Civil Procedure.
 - iii. The subject line of the email must contain only the Court Case Number using the following format: two digit year followed by a hyphen with the sequential case number. Do not use zeros after the hyphen to fill in the sequential case number (e.g., 09-1; 91-12; 08-123; 07-1234; or 09-12345).
 - iv. The above referenced Court email address is to be exclusively utilized to electronically submit the courtesy copy of the special set motion along with the request for the Special Set Hearing. The Court will not respond to any emails sent to the above address nor is the email to contain any explanations, arguments, or messages to the Court.

- v. Upon receipt of the above items, the judicial assistant or the Court will provide instructions to the moving party.
- vi. No parties are permitted to unilaterally set additional special set motions for hearing during the above time period without prior approval of the Court.
- vii. To be considered by the Court, responses to all motions, *except* Motions for Summary Judgments that are Special Set, along with supporting documents and evidence, if any, must be served by mail at least seven (7) business/working days prior to the day of the hearing, to the attorneys and pro se parties, with courtesy copies also sent to:
 - (a) The Court at CA15SpecialSets@jud11.flcourts.org;
 - (b) Opposing counsel at their fax number as provided to The Florida Bar (see www.FloridaBar.org and then click on "Find a Lawyer") or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent; and
 - (c) Pro se parties at their last known fax number or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent.
- viii. To be considered by the Court, responses to Motions for Summary Judgments that are Special Set, along with supporting documents and evidence, if any, must be served by mail at least five (5) days prior to the day of the hearing, or hand-delivered prior to the Special Set Hearing, but no later than two (2) business days before 5:00 p.m. to the attorneys and pro se parties, with courtesy copies also sent to:
 - (a) The Court at CA15SpecialSets@jud11.flcourts.org;
 - (b) Opposing counsel at their fax number as provided to The Florida Bar (see www.FloridaBar.org and then click on "Find a Lawyer") or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent; and

- (c) Pro se parties at their last known fax number or any other fax number provided on a Pleading, Motion to Quash Service, Motion to Dismiss Complaint or Notice of Appearance, whichever is most recent.
 - ix. Should any scheduled hearing become unnecessary or has to be cancelled, the scheduling attorney or scheduling pro se party shall immediately, but, not later than by Noon on the business day prior to the hearing date and time, send an email to CA15SpecialSets@jud11.flcourts.org regarding the cancellation of the Special Set hearing with an electronically attached Notice of Cancellation formatted in the same manner (using Microsoft Word or WordPerfect) as the email that scheduled the Special Set hearing and in the same manner as the Motions and Notices. Example of attached file name: 09-13423 Notice of Cancellation.
 - x. The subject line of the email must contain only the Court Case Number using the following format: two digit year followed by a hyphen with the sequential case number. Do not use zeros after the hyphen to fill in the sequential case number (e.g., 09-1; 91-12; 08-123; 07-1234; or 09-12345).
 - xi. Failure of an attorney or pro se party to appear for a scheduled hearing (other than for lack of due process, emergency, or Court scheduling conflict) may result in sanctions being imposed against the non-appearing attorney or non-appearing pro se party.
 - xii. A sample email is appended to this Order as Attachment "B".
- d. **Emergency Motions.**
- i. A courtesy copy of the Emergency Motion(s) must be emailed to CA15EmergencyMotions@jud11.flcourts.org
 - ii. The subject line of the email must contain only the Court Case Number using the following format: two digit year followed by a hyphen with the sequential case number. Do not use zeros after the hyphen to fill in the sequential case number (e.g., 09-1; 91-12; 08-123; 07-1234; or 07-1234).
 - iii. The above referenced email address is to be exclusively utilized to electronically submit the courtesy copy of the Emergency Motion. The Court will not respond to any emails sent to the above address nor is the email to contain

any explanations, arguments, or messages to the Court.

- iv. Upon receipt of the above items, the judicial assistant will contact the parties to advise as to how the Court will proceed upon review of the Emergency Motion.
- v. A sample email is appended to this Order as Attachment "C".

e. **Proposed Orders.**

- i. Any Proposed Order must be emailed to CA15ProposedOrders@jud11.flcourts.org along with the applicable Motion. The cover letter and any exhibits or other supporting documentation may be submitted as a PDF or scanned. But the Order and Motion must be sent in Word or WordPerfect format.
- ii. The above referenced email address is to be exclusively utilized to electronically submit the courtesy copy of the Proposed Order. The Court will not respond to any emails sent to the above address nor is the email to contain any explanations, arguments, or messages to the Court.
- iii. The subject line of the email must contain only the Court Case Number using the following format: two digit year followed by a hyphen with the sequential case number. Do not use zeros after the hyphen to fill in the sequential case number (e.g., 09-1; 91-12; 08-123; 07-1234; or 09-12345).
- iv. On the bottom portion of the Order, list the name and fax number of every recipient entitled to a copy of the Order using the following format: Bracket followed by FAX: and then the first and last name of the recipient followed by @area code and the telephone number ending with a bracket. For example:
 - a. **[First Name Last Name @(305)-xxx-xxxx]**
 - b. **[First Name Last Name @1-954-xxx-xxxx]**

Any telephone number with an area code other than 305 must be preceded by a one.

By following the above format, the Court can cut and paste the recipient information onto an email and immediately fax the signed order back to the recipients using Microsoft

Outlook. This will avoid the need for the recipients to furnish envelopes and stamps and will reduce costs.

If a recipient does not have a fax number, then the moving party will be responsible for furnishing the Order to that recipient and file proof of service with the Clerk of Courts.

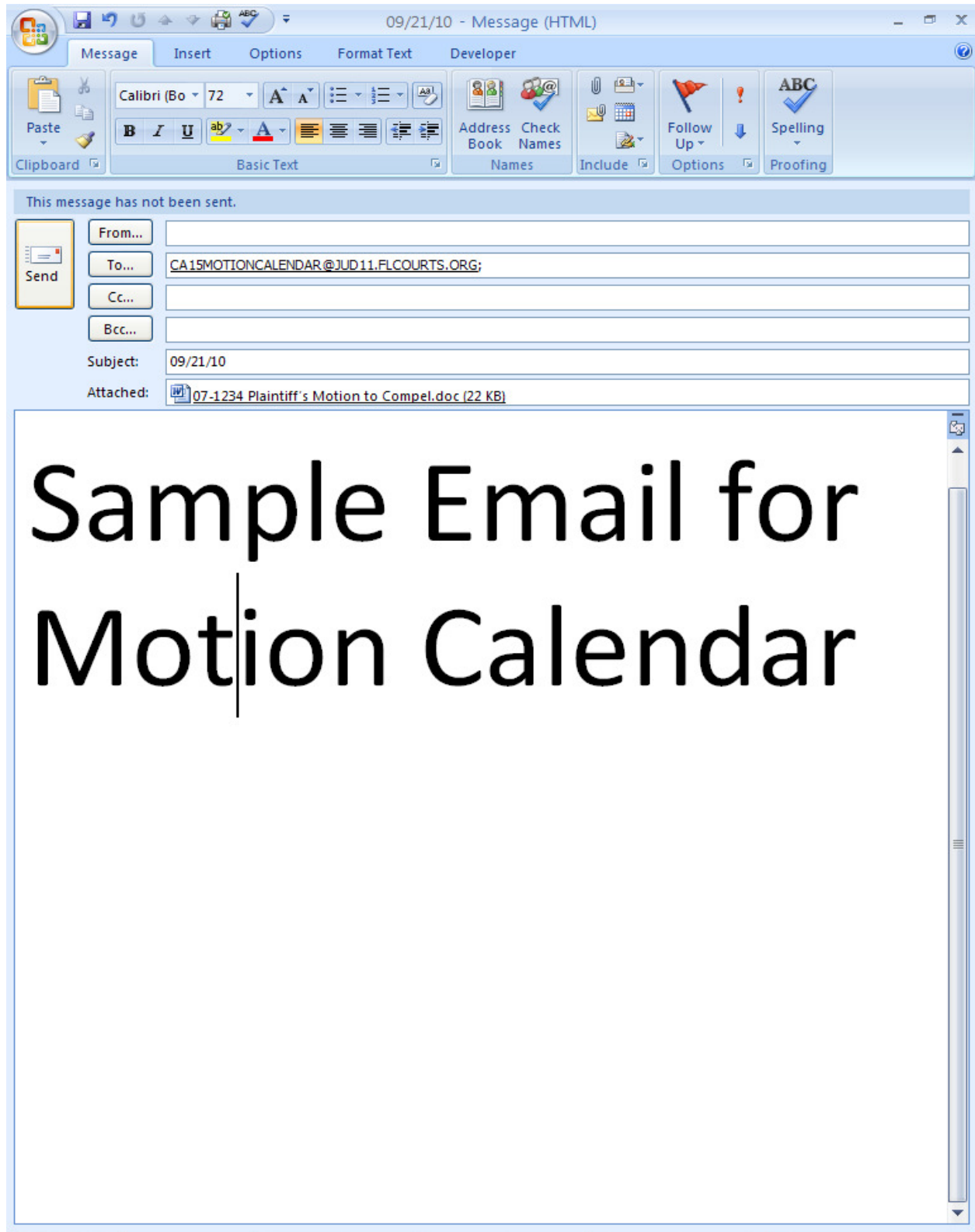
- v. Upon receipt of the above items, the Court will review the Proposed Order and forward the results to the movant.
 - vi. A sample email is appended to this Order as Attachment "D".
5. **Additional Information.** Step by step guides containing detailed instructions on how to submit the above documents can be found at www.jud11.flcourts.org on Judge Reyes' webpage and thereafter clicking on the link titled "Calendar Information."
6. **Judicial Discretion.** It shall be within the discretion of the Court to waive the requirements set forth herein or to impose sanctions for failure to comply with such requirements.
7. **Compliance with Rules.** All notice and time provisions of the Florida Rules of Civil Procedure and this Circuit's local rules and Administrative Orders, as applicable, must continue to be followed.

This Administrative Order amends and supersedes Administrative Order No. 09-13. This Administrative Order shall take effect immediately upon execution and shall remain in full force and effect until further order of the Court.

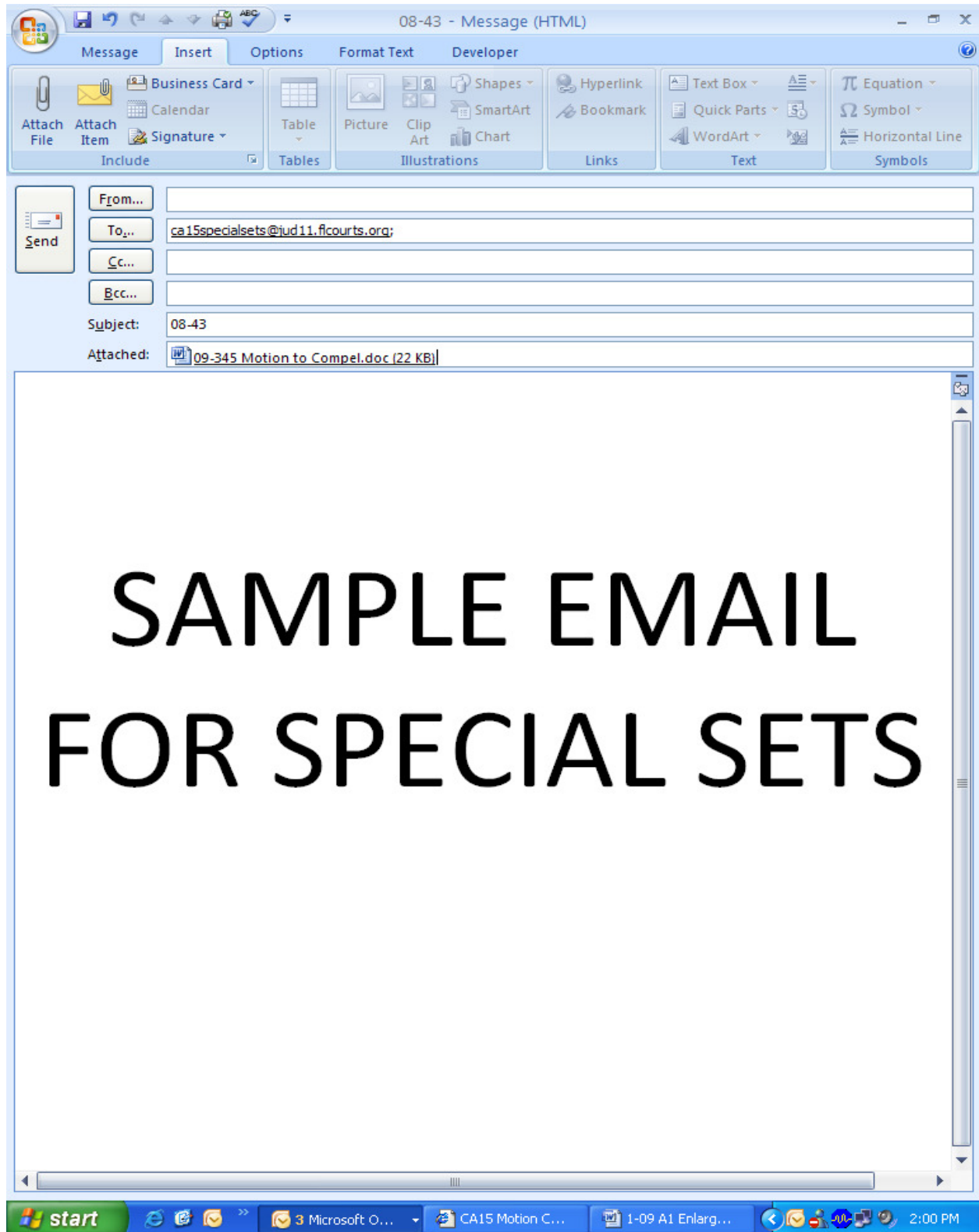
DONE AND ORDERED in Chambers at Miami-Dade County, Florida, this 28th day of June, 2010.

**JOEL H. BROWN, CHIEF JUDGE
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA**

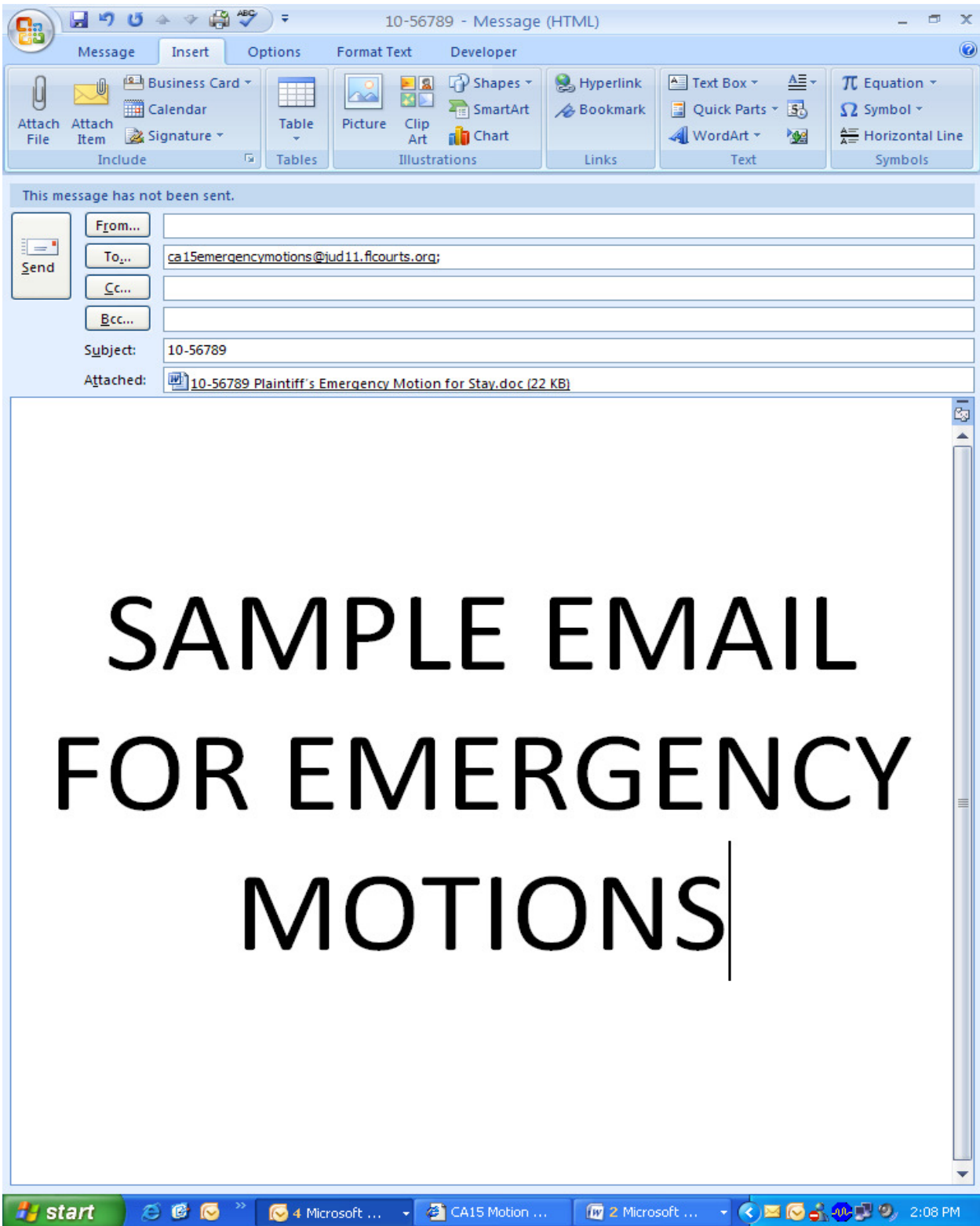
Attachment "A"



Attachment “B”



Attachment “C”



Attachment "D"

