



Honorable Judge Thomas Ramsberger

545 First Avenue North, Room 200
St. Petersburg, FL 33701

Judicial Practice Preferences • Circuit Civil / Section 19

(Updated: February 2022)

Valerie McGivern, Judicial Assistant
Judicial Assistant's E-Mail: Section19@jud6.org

ALWAYS copy opposing counsel(s) on correspondence to the Court (written or e-mail).

2022 JURY TRIAL WEEKS

<p style="text-align: center;"><u>Jury Trial Week</u></p> <p style="text-align: center;">These trial dockets are for JUDGE THOMAS RAMSBERGER - SECTION 19 <u>only.</u></p> <p>Jury selection is in Courtroom M, 1st Floor and the judge will provide you with the date of calendar call at your PTC.</p>	<p style="text-align: center;"><u>Pre-Trial Conference Day</u></p> <p style="text-align: center;">These PTC's are set at consecutive 15 minute times beginning at 9:30am, they are scheduled by the Judicial Assistant.</p> <p style="text-align: center;">PTC's will all be heard via Conference Call Dial-in: (425) 436-6303 Access Code: 141878#</p>
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<u>Jury Trial Week</u>	<u>Pre-Trial Conference Day</u>
<u>April 11, 2022</u>	<u>March 3, 2022</u>
<p style="text-align: center;"><u>*2 WEEK DOCKET</u></p> <p style="text-align: center;"><u>May 2, 2022</u> & <u>May 9, 2022</u></p>	<p style="text-align: center;"><u>March 31, 2022</u></p>

<u>June 13, 2022</u>	<u>May 19, 2022</u>
<u>July 18, 2022</u>	<u>June 23, 2022</u>
<u>*2 WEEK DOCKET</u> <u>August 8, 2022</u> & <u>August 15, 2022</u>	<u>July 7, 2022</u>
<u>September 12, 2022</u>	<u>August 4, 2022</u>
<u>October 3, 2022</u>	<u>September 1, 2022</u>
<u>November 7, 2022</u>	<u>September 29, 2022</u>

**THIS IS A MESSAGE FROM
JUDGE THOMAS RAMSBERGER'S OFFICE
REGARDING COVID-19 OPERATIONS**

ALL HEARINGS set before Judge Thomas Ramsberger, will be conducted by **Telephone Conference Call or Zoom Video Conference.**

(Zoom requests shall be made directly to the JA via e-mail prior to requesting/scheduling a hearing. Approval is required prior to scheduling a Zoom hearing).

At the time of your hearing please use the **below conference call line** to reach the Judge. This number will be used for all hearings so when you join the call its possible another hearing may be in progress so please *mute your line* and **do not place the call on hold because that will activate hold music that all the other participants will hear.** Please call in at your scheduled hearing time and no sooner than 5 minutes prior to avoid too many parties on the line at once. Judge Ramsberger will make every effort to stay on schedule regarding hearing times but due to the high volume of calls, you may expect a wait time.

Please include the below phone # and access code on your Notice of Hearing.
Dial-in number (US): (425) 436-6303 Access code: 141878#

* Please note this number is ONLY for hearings before **Judge Thomas Ramsberger** and does not apply to any other Judge or office.

If all parties agree to **reschedule** a hearing, you may do so by sending the judicial assistant an email confirming that the case will be reset. All parties must be made aware of the cancellation including any Pro Se litigants. Please cancel the hearing through JAWS and send a copy of the cancellation notice to Section19@Jud6.org and be sure to copy ALL counsel/parties on the email.

HEARING DOCUMENTS FOR UPCOMING HEARINGS:

Please e-file only the necessary hearing documents for an upcoming hearing (DO NOT upload to JAWS or send via email), the Court is working remotely and reviews the case file through the Clerk of Court's website. Binders are generally not received while the Court is remote. Case law may be e-filed under a notice of filing. Please e-file your hearing documents as soon as possible and allow the Clerk of Court 3-4 days for processing.

Any evidence, case law, etc., that requires a binder must be received at the St. Petersburg Judicial Building prior to 4:00pm, the Thursday prior to the scheduled hearing.

PLEASE SET ALL HEARINGS USING JAWS (See further instructions below)

PLEASE **DO NOT** EMAIL THE JUDICIAL ASSISTANT OR E-FILE A NOTICE OF HEARING UNTIL YOUR REQUEST HAS BEEN APPROVED. REQUESTS ARE SUBJECT TO APPROVAL UPON REVIEW BY THE JUDGE'S OFFICE.



St. Petersburg Judicial Building
545 First Avenue North, Room 200
St. Petersburg, FL 33701

* During the current COVID19 pandemic, please notice all hearings for the above conference call number (*not the attorney call-in number*) or Zoom info provided by the J.A. *

Setting a Hearing using JAWS

****PLEASE NOTE: THE JUDICIAL ASSISTANT CANNOT ASSIST YOU WITH JAWS TROUBLESHOOTING OR IF YOU ENCOUNTER ISSUES UPLOADING COVER LETTERS/ORDERS. YOU MAY CONTACT THE JAWS HELP DESK AT 727-453-4357 TO ADDRESS THOSE MATTERS.****

All counsels shall properly associate themselves in JAWS as Attorney for Plaintiff / Defendant.

All hearings are to be scheduled by the moving party in **JAWS**.

The website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx. Please select the “Section 19 – Ramsberger” calendar to schedule your hearing. A courtesy copy of the notice of hearing should be sent to the Judicial Assistant at Section19@jud6.org after your hearing has been approved in JAWS and it has been e-filed with the court.

Hearings of 15 or 30 minutes may be scheduled directly online. **PLEASE DO NOT CALL/EMAIL THE JA DIRECTLY FOR OTHER HEARING DATES UNLESS YOUR MOTION IS AN EMERGENCY.**

➤ **Setting 30, 45 Minute or 1 hour Hearings:**

For hearings which require additional time, adjacent hearing time slots may be combined to create the amount of time required provided you **first call or email the JA to create the time slot prior to scheduling your hearing**. You may also use this procedure for 30 minute hearings.

- All Counsel/Associated Parties. It is the moving party’s responsibility to confirm that all counsel/associated parties are in the JAWS database to ensure all parties receive emails regarding the scheduling and cancellation of hearings. Failure to comply with this procedure can result in cancellation of your hearing. Additional email addresses for notification may be added for staff.

NEW REQUIREMENT

Mandatory Case Management and Resolution

The Supreme Court of Florida amended its COMPREHENSIVE COVID-19 EMERGENCY MEASURES FOR FLORIDA TRIAL COURTS, AOSC20-23, by provisions in Amendment 11 which directed chief judges to issue administrative orders requiring presiding judges in specifically defined civil cases to issue case management orders that contain deadlines for completing certain pretrial matters and setting trial dates consistent with the time standards specified in the Florida Rules of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.

The Supreme Court AOSC20-23, in Amendment 11, section III. G. (on pages 16 through 21) sets forth specific provisions for Case Management and Resolution that include provisions applicable to the existing civil backlog of cases. These “civil cases” are defined (in footnote 13 on page 16) as actions to which the Florida Rules of Civil Procedure apply.

(copy link below to read AOSC20-23)

<https://www.floridasupremecourt.org/content/download/731687/file/AOSC20-23-Amendment-12.pdf>

The Sixth Judicial Circuit Chief Judge Anthony Rondolino signed,

1) Administrative Order 2021-013 PA/PI-CIR RE: AOSC20-23 COVID-19 EMERGENCY MEASURES AND MANDATORY CIVIL CASE MANAGEMENT ORDERS (copy link below)
<https://jud6.org/LegalCommunity/LegalPractice/AOSAndRules/aos/aos2021/2021-013.pdf>

and

2) Administrative Order 2021-012 PA/PI-CIR RE: AOSC20-23 MANDATORY REVIEW OF PENDING CIVIL CASES AND SUBMISSION OF AGREED CIVIL CASE MANAGEMENT ORDERS. (copy link below)
<https://jud6.org/LegalCommunity/LegalPractice/AOSAndRules/aos/aos2021/2021-012.pdf>

The number of cases presently pending in each judge’s section that must be coordinated, scheduled, and noticed for case management conference far exceeds the amount of time presently available on the judge’s docket. Litigants and counsel have been advised of the fact that the presiding judges may be forced to issue case management orders in cases without a noticed hearing and without any input from the litigants.

SUBMITTING AN AGREED MANDATORY CIVIL CASE MANAGEMENT ORDER:

Proposed case management orders in some cases may be uploaded to the JAWS for the county where the case is located. Presiding judges may accept and sign such orders as they deem appropriate. Approved Agreed orders will rescind prior orders or mandatory orders issued without notice and hearing. Please see **pages 18-21** of these preferences to obtain the template for the **“MANDATORY COVID-19 EMERGENCY CASE MANAGEMENT ORDER(CMSO)”**. Prior to submitting an order to the section judge, you are encouraged to review the section judges practice requirements. Instructions on how to upload a proposed order to JAWS are found on pages 12-13 of these practice preferences.

SCHEDULING A CASE MANAGEMENT CONFERENCE pursuant to AOSC20-23 in JAWS:

COUNSEL MAY NOT CANCEL/RESET A CASE MANAGEMENT CONFERENCE SET PER SC ORDER AOSC20-23

If the parties are unable to agree upon a Case Management order then they may schedule in JAWS, under “CMC to comply with AOSC20-23” (CMC-AO). Please use the **“ORDER SETTING TELEPHONIC CASE MANAGEMENT CONFERENCE pursuant to AOSC20-23”** template provided below on **page 22** of these preferences, once completely filled out you must upload the Order Setting CMC to JAWS in PDF format, do not leave any blanks. Please be sure to associate all emails in JAWS so all parties on the service list receive notifications and conformed copies.

*** MORTGAGE FORECLOSURE CASE PROCEDURE ***

Do NOT send the Court NJT or SJ packets prior to the hearing.

Counsel must SUBMIT THESE PACKETS TO THE COURT FOLLOWING THE HEARING AND INCLUDE THE SALE DATE.

The attorney shall confirm in the cover letter the date of filing the Original Promissory Note and Original Mortgage with the Clerk of Court, and the filing date of the Certificate of Compliance.

Original Notes/Mortgages

DO NOT forward the original Note/Mortgage directly to the judge's chambers. These documents must be filed with the Pinellas County Clerk of Court.

Further, it is not the responsibility of the judge’s office to order the original note and mortgage for foreclosure proceedings. It is counsel’s responsibility to request the hard copy court file from the Clerk’s office that may be needed at trial at least **ONE WEEK IN ADVANCE**.

Directions: (1) Use civilatty@pinellascounty.org email address ONLY; (2) Subject line: “File(s) needed for foreclosure hearing”; (3) Mark as “High Priority”; (4) Body of email: Send files DIRECTLY to Judge Ramsberger, St. Pete; provide case number, style of case, date of hearing and which volume(s) are needed. Failure to make prior arrangements for these files to be available at trial will not be grounds for a continuance.

The procedures established in Administrative Order 2017-007 shall be followed in mortgage foreclosure cases filed in Pinellas County.

Foreclosure Motions (to be set on the UMC FORECLOSURE CALENDAR)

All Motions shall be scheduled on the **UMC FORECLOSURE ONLY CALENDAR** in JAWS at: https://jawspinellas.jud6.org/jaws_attorney/login.aspx. The scheduling party must send a courtesy copy of the Notice of Hearing to all parties immediately AFTER your hearing request has been approved by the JA in JAWS.

Foreclosure Motions for Summary Judgment

To schedule hearings of less than 15 minutes, please use the **UMC FORECLOSURE CALENDAR in JAWS**. ~~Attendance in person is mandatory.~~

Foreclosure Non-Jury Trials 15 MIN OR LESS

To schedule a non-jury trial in an uncontested residential mortgage foreclosure case (15 minutes or less), please schedule your hearing in JAWS at: https://jawspinellas.jud6.org/jaws_attorney/login.aspx on a **UMC FORECLOSURE ONLY CALENDAR**. Plaintiff is responsible for preparing a copy of the Notice that Cause is at Issue, proposed Order Scheduling Non-Jury Trial with the scheduled date and time, and sufficient copies of the order and postage-paid envelopes for all parties. ~~Attendance in person is mandatory.~~

Foreclosure Non-Jury Trials and Non-Jury Trials of 1 hour or more

Schedule using JAWS, adjacent hearing time slots may be combined to create the amount of time required for the NJT. First call or email the JA to create the time slot prior to requesting your hearing. **If you need 2 hours or more, please contact the JA to offer you special set time slots.** ~~Attendance in person is mandatory.~~

Sale Cancellations

Parties shall comply with the provisions of AO 2017-007.

MOTIONS WITHOUT HEARING (AO 2020-012)

Read below procedures

In addition to motions that have been customarily considered ex parte (e.g., motions for judicial default, motions to compel pursuant to Administrative Order 2013-005, etc.), certain other motions may be decided based solely upon written submissions pursuant to ADMINISTRATIVE ORDER 2015-056 and

ADMINISTRATIVE ORDER 2020-012. As provided by the AOs, after being served with such motions, the nonmoving opposing party shall have 10 days to file any written response, after which the court may rule without further notice or hearing.

The following motions shall generally be considered on written submissions:

- ✓ Motions for Default
- ✓ Motions to Withdraw (must comply with Fla.R.Jud.Admin. 2.505)
- ✓ Motions to Compel
- ✓ Motions to Strike
- ✓ Motions for Extension of Time
- ✓ Motions to Dismiss
- ✓ Motions for Substitution of Counsel (must comply with Fla.R.Jud.Admin. 2.505)
- ✓ Motions for Substitution of Party Plaintiff
- ✓ Motions to Substitute Counsel (must include client consent)
- ✓ Motions to Add Party, Motions to File Amended Complaint
- ✓ Motions to Continue Non-Jury Trials

Parties may, by stipulation only, waive hearing on other non-evidentiary motions and request the court rule on written submissions alone. Conversely, parties may by stipulation, or motion, request oral argument on any motion otherwise subject to this procedure. The court will consider such requests without hearing and advise the parties if a hearing should be scheduled.

Procedures: File and serve motions without contacting the court initially. When **fifteen (15) days have passed** after service on opposing parties, **then send the court:**

1. A cover letter in compliance with AO 2020-012. A copy to all opposing party(ies)
*please include the **date** this motion was sent to opposing counsel.
2. A courtesy copy of the motion
3. Any supporting material of record not filed with the Clerk via the e-portal
4. Copies of any material served in response by another party
- 5. A PROPOSED ORDER**
6. Self-addressed stamped envelopes with conforming copies for all parties.

PRE-TRIAL AND JURY TRIAL PRACTICE

All Exhibits should be e-filed in the court file.

All pertinent Case Law, Legal Authority should be filed with the Clerk of Court under a Notice of Filing.

All Evidence shall be properly & clearly marked, tabbed, and placed in an indexed binder.
A copy provided to opposing counsel.

➤ **Prior to Pre-trial, please email the judicial assistant a copy of the Pre-trial Order and bring hard copies with you.**

➤ **Prior to TRIAL, please submit Jury instructions and Verdict Forms via e-mail to the judicial assistant in *word* format.**

For security purposes, the Court DOES NOT accept discs, flash drives, drop boxes or links per Court technology.

*** Attention Lawyers ***

Courtroom facilities & equipment for Jury Trial:

How do I schedule a video conference or reserve equipment that will be needed for a trial or hearing?

To schedule the use of any audio/video equipment maintained by the court, call 727-453-7928. Equipment reservations should be phoned in a minimum of seven days in advance of the proceeding. If you are requesting use of the Nomad evidence presentation system, the person who will be using the equipment must be trained. To schedule training, call the above numbers.

NOTE: When calling to schedule equipment, please have all necessary information (courtroom, time of hearing, etc.).

Scheduling Jury Trials

Copies of motions (Notice That Cause is at Issue) to set jury trial should be provided to the court via e-mail (copy opposing counsel), when filed via the e-portal they do not come to the Judge. **Mediation should be attempted in all cases unless excused by the court upon motion and hearing. Cases that have not been mediated will be referred for mediation and not set for trial until mediation is completed.** In setting trial, counsel are encouraged to coordinate a trial date among the parties using the available trial dockets. When a trial docket is agreed upon, contact the Judicial Assistant via e-mail to calendar the trial and prepare the Trial Order setting pre-trial conference and jury trial. *** When e-mailing the J.A. to set jury trial, copy all parties, include the date mediation was completed, the number of days necessary and the trial docket agreed upon by all parties.** The Trial Order will be furnished to the parties via JAWS.

If the parties cannot agree on a trial date, schedule a hearing in JAWS for that purpose and detail that in your hearing request.

Order Setting Pretrial Conference and Jury Trial

ADMINISTRATIVE ORDER 2013-064: The discovery cutoffs and deadlines provided by this order are binding, as are the provisions for counsel to meet to resolve minor evidentiary problems and to provide the court a proposed Pretrial Conference Order prior to the PTC.

Motions to Continue Trial

These motions must be signed by the client, as provided by Rule 1.460. When providing such motions, ALWAYS inform the Judicial Assistant whether opposing has an objection or not.

Motions in Limine

Time will be provided for motions in limine to be heard after pretrial and before the week of trial. Counsel will confer before that hearing so that only items actually in dispute will be put before the Judge. The Court has no time for “boiler plate” issues such as forbidding Golden Rule arguments. **Once your motion is filed, contact the judicial assistant to find out what date has been reserved for and to schedule your Motions in Limine.**

Voir Dire

Attorneys will inquire of the entire jury panel seated in the gallery. A seating chart with jurors’ names will be provided. The court will initiate voir dire questions and then counsel will follow with their inquiries.

OTHER MOTION PRACTICES

Withdrawal or Substitution of Counsel

Rule of Judicial Administration 2.505 requires a “motion and hearing” for withdrawal of counsel. Judge Ramsberger will forego a live hearing and deem this requirement adequately complied with if, and only if, there is filed a Stipulation for Withdrawal signed by both the client and all counsel. The same rule requires that all substitutions of counsel be “signed off” by the client. Orders granting withdrawal must include the complete address, e-mail address and telephone number where future correspondence and pleadings may be sent to the client.

Motions for Rehearing/Reconsideration

Provide the Judge with a copy of the motion. Do not schedule for hearing unless the court decides a hearing is required.

Ex Parte Motions

(in accordance with AO 2020-012)

Counsel seeking consideration of a matter ex parte should always provide the Court with courtesy copies of a motion and any supporting materials such as affidavits with their proposed orders, service copies, postage-paid envelopes, and an appropriate cover letter signed by a member of the Florida Bar, not a staff member.

Case Management Conferences

Please set this on a **UMC CALENDAR in JAWS**, these are set for 5 minutes. File a notice of hearing *after* your request *has been accepted* through JAWS. ~~Attendance in person is mandatory.~~



Emergency Motions

All Emergency Motions must be filed with the Clerk of Courts prior to the Court determining emergency status. **A party must provide a copy to the Judge via email or by calling the Judge's office directly per Administrative Order.** Motions are to be submitted to the Court for determination of emergency status. Once the motion is reviewed by the Judge, you will be contacted by the Judicial Assistant.

Cancellations

***If the case settles, please e-mail Section19@jud5.com to cancel any hearings or trials that may be scheduled. Please use "Cancellation" in the subject line.**

Hearings that you schedule in JAWS shall also be cancelled by you in JAWS for up to 24 hours prior to the hearing. If your hearing is less than 24 hours away, please call the JA to cancel your hearing. The mere filing of a Stipulation of Dismissal is not adequate notice to the court that a case set for trial has been resolved. You may not cancel a hearing without notification and agreement of all parties.

The Judicial Assistant must be notified in a timely manner and a Notice of Cancellation of Hearing should be filed with the Court with a courtesy copy sent to the Judicial Assistant.



Telephonic Appearances

Due to the current COVID19 Pandemic,

All hearings are held via Telephone Conference Call

Prior to contacting the Judicial Assistant, ascertain if opposing counsel has any objection to your telephonic appearance.

Telephonic Appearances are **NOT** permitted for any Foreclosure hearings or UMC dockets. Telephone attendance is allowed for other non-evidentiary hearings of up to 15 minutes. The notice of hearing shall state that it is telephonic and identify all parties appearing by telephone. If more than one party is attending by telephone, one attorney shall be designated to coordinate the conference call and have all parties on the line prior to calling in. Counsel shall call the Judge's hearing line, **727-582-7875**, at the time of the hearing. The judicial assistant will place the call on hold until the judge is ready to hear the case.

Agreed Upon Proposed Orders

Proposed orders that are stipulated to/agreed upon by all parties/both sides may be uploaded to JAWS and will be reviewed and signed with Judge Ramsberger's electronic signature. You must also upload an explanatory cover letter and every proposed order **MUST** state whether Opposing Counsel has agreed with the form and content. Cover letters are uploaded separately. **All documents are to be uploaded as PDF documents.** The instructions for uploading orders are as follows:

1. JAWS submissions of proposed orders to the court should consist of two uploads:
 - a. The order or judgment to be reviewed and signed, and nothing else, goes in one location.
 - b. **Everything else** goes in the other upload location - namely, the information that shows the judge why the order should be signed (i.e.: cover letter and motion or stipulation, plus exhibits, if necessary). These are all uploaded as a single document.

Motions, stipulations, and supporting documents must be filed via the Clerk of Court's e-portal and viewable prior to submitting them to JAWS. If Judge Ramsberger receives a proposed order and the documents are not viewable, the order will be rejected.

2. It should never be necessary to make a duplicate upload. These create many problems. If there is a problem with uploading, contact the JAWS Help Desk, 727-453-4357.
3. **Do not** submit proposed orders on JAWS in advance of a scheduled hearing unless specifically requested by the Judge.
4. Helpful tips:
 - a. Your cover letter shall include express confirmation by a member of the Florida Bar that the proposed order has been shared with all other non-defaulted parties, and that they have no objection as to its form and content. (If there is an objection, submit the order via US mail or email to Section19@jud6.org with an explanatory cover letter.)
 - c. If your order is based on the Judge's ruling after a hearing, state that fact, including the date of the hearing.

Electronically conformed copies will only be provided to the email addresses, which have been properly associated to the case in JAWS. It is the responsibility of the party uploading a proposed order to confirm that all email addresses have been added to JAWS. The JA and the Clerk DO NOT maintain the associated party database.

* ALL Attorneys of Record must properly associate themselves in JAWS as Plaintiff / Defendant's counsel, respectively.

Attention Pro Se litigants

The Judicial Assistant CANNOT answer legal questions, or "explain" things to the Judge. Your opportunity to speak to the Judge happens in Court only. The Clerk of the Court has a Self Help Program for self-represented litigants in the St. Petersburg Judicial Building. Gulfcoast Legal Services may be reached in St. Petersburg (727) 821-0726 or Clearwater (727) 443-0657. Bay Area Legal Services is available at 1-(800)-625-2257. Community Law Program, Inc., 727-582-7480. Lawyer referral services of the St. Petersburg and Clearwater Bar Associations may be contacted at (727) 821-5450 and (727) 461-4880, respectively.

Providing Case Law and documents to the Court prior to a hearing

Please E-file case law and supporting documents to the Court via the Clerk of Court's e-portal at least 4 days prior to the scheduled hearing.

Please see next page for...

**Civil Law Forms for Judge Thomas Ramsberger
Circuit Civil Section 19**



**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CASE NO.: _____**

Plaintiff(s),

vs.

Defendant(s).

_____ /

ORDER SCHEDULING NON-JURY TRIAL

(* all parties to attend virtually)

THIS CAUSE being at issue and the Court being otherwise fully advised in the premises, it is;

ORDERED AND ADJUDGED that a Non-Jury Trial in the above-styled cause is hereby scheduled on _____ at _____ a.m. / p.m. before the Honorable Thomas Ramsberger, Circuit Judge, at the St. Petersburg Judicial Building, 545 First Avenue North, Room 200, St. Petersburg, FL 33701. **ALL PARTIES SHALL ATTEND VIRTUALLY. All parties or their representatives named herein and their counsel, if any, shall attend the Non-Jury Trial, in person***

(Conference Telephone Number: 1 (425) 436-6303 Access Code: 141878#).

The Court will have only an electronic file available at the Non-Jury Trial. It is counsel's responsibility to bring any hard copy documents that may be needed at trial. Failure to make prior arrangements for these documents to be available at trial will not be grounds for a continuance. It is further;

ORDERED AND ADJUDGED that at least **30 days before the Non-Jury Trial**, counsel for all parties, and any pro se party, must serve a list of the names and addresses of all lay or expert **witnesses** who are expected to testify at trial, whether for substantive, collaborative, impeachment or rebuttal purposes, as well as a list of all **exhibits** which are expected to be admitted at Trial, whether for substantive, demonstrative, collaborative, impeachment or rebuttal purposed. Witnesses and exhibits not listed as described above may not provide testimony or may not be admitted at trial except by stipulation of all parties or as allowed by order of the Court.

DONE AND ORDERED at St. Petersburg, Pinellas County Florida on this _____ day of _____, 20____.

THOMAS RAMSBERGER, Circuit Judge

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Human Rights Office, 400 S. Ft. Harrison Ave., Ste. 300, Clearwater, FL 33756, (727) 464-4062 (V/TDD) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Copies furnished to:
Plaintiff / Defendant

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION CASE NO. _____**

Plaintiff(s),

vs.

Defendant(s).

_____ /

ORDER TO APPEAR FOR CASE MANAGEMENT CONFERENCE (FORECLOSURE CASES ONLY)

Plaintiff's counsel having given notice that this cause is at issue, in order to ensure the efficient use of court resources through adequate communication between parties, it is hereby ORDERED THAT

1. There shall be a case management conference (CMC) before **Judge Thomas Ramsberger** on _____, **20__** at ____:____**am/pm in Room 200, 545 First Avenue North, St. Petersburg, FL.** The CMC will be held for all purposes set forth in Rule 1.200, Florida Rules of Civil Procedure, and specifically to:
 - a. Review the possibility of settlement, including the status and availability of any loss mitigation options
 - b. Hear, or schedule for hearing, all outstanding motions
 - c. Identify outstanding pending discovery, including any documents not yet produced
 - d. Determine any further depositions or other discovery to be sought by any party
 - e. Disclose any anticipated trial witnesses other than parties or representatives of institutional parties
 - f. Identify documentary evidence that may be admitted at trial without objection in a composite exhibit
 - g. Identify any other uncontested or stipulated facts
 - h. Identify the actual truly disputed issues for trial, including (without limitation) any of the following, and consider whether they might best be addressed by motion for summary judgment or other motions
 - (1) Plaintiff's compliance with conditions precedent
 - (2) Plaintiff's standing
 - (3) Anticipated objections to Plaintiff's business record evidence
 - (4) Affirmative defenses Defendant will actively litigate at trial
 - i. Schedule pretrial conference and trial, if appropriate

2. Lead trial counsel (i.e., the attorneys expected to try the case) are required to appear in person at the CMC. In advance of the CMC, they shall confer with one another orally (i.e., in person or by telephone, not via email or other written exchange) to address each of the matters enumerated in the preceding paragraph.

FAILURE TO FULLY COMPLY WITH THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS, WHICH MAY INCLUDE STRIKING OF PLEADINGS, DISMISSAL, DEFAULT, IMPOSITION OF COSTS, OR ANY OTHER SANCTIONS PERMITTED BY LAW.

DONE AND ORDERED in Chambers, at St. Petersburg, Pinellas County, Florida, this _____ day of _____, 20__.

THOMAS RAMSBERGER, Circuit Judge

Copies furnished to:
Plaintiff
Defendant

**IN THE CIRCUIT/COUNTY COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO / PINELLAS COUNTIES, FLORIDA**

_____,
Plaintiff(s)

vs.

CASE NO.:

_____,
Defendant(s)

_____ /

MANDATORY COVID-19 EMERGENCY CASE MANAGEMENT ORDER(CMSO)

Whereas, the Florida Supreme Court has issued several administrative orders implementing temporary measures essential to safely administering justice during the COVID-19 pandemic and the high court has amended its **COMPREHENSIVE COVID-19 EMERGENCY MEASURES FOR FLORIDA TRIAL COURTS, AOSC20-23** in *Amendment 12* which requires presiding judges in specifically defined civil cases to issue case management orders that contain deadlines and projected trial dates consistent with the time standards specified in the Florida Rules of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.

Whereas, the Chief Judge issued Administrative Order 2021-013 PA/PI-CIR RE: **AOSC20-23 COVID-19 EMERGENCY MEASURES AND MANDATORY CIVIL CASE MANAGEMENT ORDERS** and Administrative Order 2021-012 PA/PI-CIR RE: **AOSC20-23 MANDATORY REVIEW OF PENDING CIVIL CASES AND SUBMISSION OF AGREED MANDATORY CIVIL CASE MANAGEMENT ORDERS.**

In order to implement these provisions,

IT IS ORDERED:

Counsel for the parties or *pro se* individuals who are representing themselves in this action shall review the status of the above styled cause with the specific purpose of complying with Fla. R. Jud. Admin. 2.250 and 2.545 and the Supreme Court case management and resolution provisions contained in AOSC20-23, *Amendment 12* or subsequent amendment.

In cases which have been designated as “Complex Litigation” pursuant to Fla. R. Civ. Pro.

1.201 the court has or will enter a comprehensive scheduling order in conformity with the stated provisions of that rule. Such case management orders shall include deadlines consistent with AOSC20-23 and the mandates to conclude the litigation as soon as reasonably possible. The scheduling orders in complex litigation cases supersede any deadlines listed below.

In cases which are not designated under Rule 1.201 there are two categories of actions. The first category are “Streamlined Cases” which in this circuit are determined to be civil actions that will be set for trial before a judge rather than a jury. The second category are “General Cases” which are those civil cases that will be set for a jury trial. To comply with the mandate in AOSC20-23, *Amendment 12* or subsequent amendment, the court now orders the following deadlines to be imposed in this case:

1. Deadlines for Service of the Complaint

Service of process and pleading must be made in conformity with Fla. R. Civ. Pro 1.070(j) and if not timely served, the cause shall be subject to dismissal. Counsel for plaintiff is responsible for and required to serve this order on any Defendant(s) that is a party to the case. Initial service shall be limited to 120 days after filing and will not be extended absent a motion filed prior to the expiration of that period. If a motion to amend is permitted, the period for service shall begin upon entry of an order granting leave to amend. Motions to amend and motions to add additional parties are generally liberally granted; however, the court shall consider the time standards in Rule of Judicial Administration 2.250 and the movant’s good faith efforts to advance the cause toward a timely disposition in determining whether to allow same.

2. Deadlines for Answers and Initial Motions

Answer to initial complaints, counterclaims or cross claims shall be filed within 20 days of service unless otherwise permitted. Any motion raising lack of jurisdiction, improper venue, insufficiency of process or service, and any other preliminary matter filed within the initial 20 days purporting to suspend the requirement to file formal answers and defenses shall be brought before the court without delay. To insure these are addressed in a timely fashion, all such motions shall be subject to the Sixth Circuit’s Administrative Order No. 2020-012 PA/PI- CIR or subsequent amendment, which permits the court to rule based upon written submissions. Within 15 days of filing the motion (or within 15 days of this order if such motions are presently past that date) movant must file and serve a Notice of Request for the Court to Consider Motion Based on Written Submissions without Hearing (see A.O. 2020-012 attachment A) along with any legal argument and authority. The filing of opposition papers and subsequent submissions to the judge are governed by A.O. 2020-012, or subsequent amendment. Assertions that the motion(s) needs to be scheduled for a hearing rather than decided by written submission should be included for the court’s consideration in addition to, but not in lieu of, any other

memoranda. The court will decide, based on submissions, if hearing with oral argument is needed.

3. Deadlines for Motions after an Answer

After the initial complaint is served and the answer filed the parties shall have 20 days to file any motions directed to these pleadings. These motions shall be scheduled for hearing by the movant as soon as time can be secured on the court's calendar. A date should be secured and the notice of hearing shall be served within 15 days of filing (if that date has already passed the movant has 10 days to schedule the hearing and send the notice). For other pretrial motions A.O. 2020-012, or subsequent amendment, should be used unless the matters involve testimony or evidence or otherwise require oral argument. If a hearing will be required the movant shall obtain a time and date that is cleared with all parties, and send out the notice of hearing within 15 days of filing. Of course good faith efforts to resolve such matters should be attempted prior to setting a hearing.

4. Deadlines for Discovery

The parties may engage in discovery pursuant to the civil rules which are to be "construed to just, speedy, and inexpensive determination of every action." *Bainter v. League of Women Voters*, 150 So. 3d 1115, 1118 (Fla.2014). Although investigation and preparation may occur prior to the formal discovery methods in Rule 1.280, such formal methods should be conducted with the time standards in Rule 2.250 in mind. Those time standards are 18 months from initial filing to final disposition in jury cases and 12 months in non-jury cases. Fact and expert witnesses should be disclosed and discovery completed within 270 days from service of the complaint on the last of all named defendants, in jury trial cases, or within 150 days from the last served defendant, in non-jury cases. If those dates have already passed in this case then the parties are given 90 days from the date of this order to complete discovery.

5. Scheduling Mediation

Once there has been sufficient discovery for the parties to know the strengths and weaknesses of the respective positions in the case then alternative dispute resolution should be considered as a way to reach a resolution and reduce the time and expense associated with continued litigation. If mediation has not yet occurred in this case then it should be scheduled once the above described discovery deadline has passed, if not sooner. Mediation should be scheduled and completed within 90 days following the completion of discovery as required in paragraph 4 above.

6. Trial date

Final disposition in cases may ultimately require a trial. The setting of an action for trial is governed by Rule 1.440 and requires the cause to be “at issue”. An action is at issue after any motions directed to the last pleading served have been disposed of or, if no such motions are served, 20 days after service of the last pleading. If the case is at issue and the discovery deadline (paragraph 4) has passed then the Plaintiff shall file a “Notice of Trial” in conformity with 1.440(b) and schedule a pretrial or case management conference with the court to schedule a date certain for the trial. AOSC20-23 requires the presiding judge to specify a “projected trial date” in cases that are not yet at issue and the court therefore orders that the projected trial date will be the presiding judge’s first available jury trial docket 90 days after the cause is at issue, unless and until otherwise ordered pursuant to Rule 1.440.

7. Setting a Case Management Conference for hearing

If the parties are unable to submit an Agreed Mandatory Civil Case Management Order and such order has NOT been filed within 180 days after filing the Complaint, then Plaintiff is required to schedule a case management conference. **Plaintiff should submit a form *Order to Appear for a Telephonic Case Management Conference* which can be found at www.jud6.org.** Failure to appear at the case management conference may result in a dismissal of the case without prejudice. At this time, all case management conferences will be conducted by telephone conference pursuant to the section judge’s conference call procedures. Please follow the section judge’s procedure on scheduling hearings.

The court understands there have been many difficulties occasioned by the pandemic and protocols that have been instituted because of it. The Supreme Court has required the issuance of these mandatory case management orders in outstanding cases and directs trial judges to strictly comply with the rules requiring conclusion of cases as soon as it is reasonably possible. **To the extent that the deadlines contained in this order appear to the parties to be unreasonable because of the circumstances involved in the case the parties are encouraged to consult and confer in an effort to draft an Agreed Mandatory Civil Case Management Order pursuant to Sixth Judicial Circuit Administrative Order No. 2021-12, or subsequent amendment, and the form included therein.** If the parties are unable to agree on such an order and there remains a continued good faith belief that this mandatory emergency order needs to be modified then a motion to amend may be filed and set for hearing.

If the court has entered a case management order or pretrial order with deadlines that differ from those contained in this mandatory order, then the specific dates in that order shall control. In cases where the action has been stayed by court order, government suspension or moratorium the Plaintiff shall immediately set a case management hearing upon expiration of the prosecution limits.

DONE AND ORDERED in Pinellas County this ____ day of _____, 202__.

Thomas Ramsberger, Circuit Judge

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO / PINELLAS COUNTY, FLORIDA**

_____,
Plaintiff(s),

vs.

CASE NO.:

_____,
Defendant(s),

_____ /

ORDER SETTING TELEPHONIC CASE MANAGEMENT CONFERENCE
Pursuant to AOSC20-23

THIS CAUSE, having come before the Court, and the Court, having reviewed the record,
it is hereby;

ORDERED AND ADJUDGED as follows:

1. A Case Management Conference is set for _____, 20__ at
____:____ am/pm via telephone conference call # (____) _____ - _____, access
code _____ before the Honorable Judge _____.

DONE AND ORDERED in Chambers in Pasco/Pinellas County, Florida on this ____ day
of _____, 202__.

Circuit Court Judge

(attach service list here)