



Honorable Judge Amy M. Williams

545 First Avenue North, Room 417
St. Petersburg, FL 33701

Judicial Practice Preferences • Circuit Civil / Section 11

Stephanie Fadhel, Judicial Assistant

*The Judicial Assistant prefers E-mail communication:

Sfadhel@jud6.org

ALWAYS copy opposing counsel(s) on correspondence to the Court

2023 JURY TRIAL WEEKS

<p><u>Jury Trial Week</u></p> <p>These trial weeks are for trials set before JUDGE AMY WILLIAMS-SECTION 11 <u>only</u>.</p> <p>Calendar call will be heard telephonically at 1:30 pm on the Thursday and Friday before trial week.</p> <p>Motions in Limine for your trial week are all heard the Thursday prior to trial at 2pm via conference call: Dial in- (605) 313-5776 Access Code- 332457#</p>	<p><u>Pre-trial Conference day</u></p> <p>These PTC's are set at adjacent consecutive 15 minute times beginning at 9:30am, they are scheduled by the Judge or Judicial Assistant.</p> <p>Please be sure to include the correct time of your PTC on your trial order.</p> <p>PTC's will all be heard via Conference Call Dial in- (605) 313-5776 Access Code- 332457#</p>
<p>January 17 & 23 (2 week docket-For trials 6+ days only) (16th – MLK Jr. Day) *1st week is a 4 day trial week</p>	<p>December 13</p>
<p>February 20</p>	<p>January 10</p>
<p>March 13</p>	<p>February 14</p>
<p>April 24 & May 1 (2 week docket-For trials 6+ days only)</p>	<p>March 21</p>
<p>June 12</p>	<p>May 9</p>

July 24	June 20
August 14	July 18
September 25 & Oct 2 (2 week docket-For trials 6+ days only)	August 8
October 23	September 19
November 6 (10th – Veteran’s Day) *4 day trial week	October 17
December 11	November 14

**SUBMITTING AN ORDER SETTING JURY TRIAL
AND PRETRIAL CONFERENCE:**

Please email the judicial assistant at Sfadhel@jud6.org for the correct Jury Trial Order template and Pretrial Conference Order, please be sure to input all correct names and dates etc... If the Judge did not provide a PTC time during a CMC, please request a time from the J.A.

You may include any agreed upon deadlines in your trial order and any deadlines that may have already been ordered by Judge Williams. The Pretrial conference will be telephonic, the dial-in information is already listed on the jury trial order.

Separately please submit your proposed Uniform PTC order to sfadhel@jud6.org at least 3 days prior to the pre-trial. After all parties agree, please upload the proposed trial order to JAWS in PDF format for Judge Williams to review and sign.

**THIS IS A MESSAGE FROM JUDGE WILLIAM’S
OFFICE REGARDING OPERATIONS DURING COVID-
19**

HEARING DOCUMENTS FOR UPCOMING HEARINGS:

Please e-file only the necessary hearing documents for an upcoming hearing (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 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 Clerks 2-3 days for processing

ALL HEARINGS set before Judge Amy Williams will be conducted by **Telephone Conference or Zoom**. (procedures listed below)

TELEPHONIC CONFERENCE PROCEDURE:

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 is 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 not 5 or more minutes prior to avoid too many parties on the line at once. Judge Williams 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): (605) 313-5776

Access code: 332457#

*Please note this number is ONLY for hearings before **Judge Amy Williams** and does not apply to other offices.

ZOOM PROCEDURE:

Approval from the Judge or judicial assistant is required prior to scheduling a Zoom hearing.

It is the moving party's responsibility to provide the Court with Zoom information for their scheduled hearing. The Zoom Meeting ID and Passcode must be listed on the Notice of Hearing.

SUBMITTING ORDERS:

As the Court is working remotely, the judge is reviewing most proposed orders in JAWS. Please be sure to copy all opposing parties on the cover letter prior to submitting orders to the Court. You may submit the proposed order to JAWS and please include a cover letter. **YOU MUST UPLOAD YOUR ORDER IN PDF FORMAT.** If you are submitting a proposed order under Written Submissions A.O 2020-012, please wait 15 days after service and be sure to copy all opposing parties on the cover letter prior to submitting this to the Court. You may submit the proposed order to JAWS after the 15 days have passed, please include when the motion was filed in your cover letter It is the responsibility of the moving party to forward copies of the signed order to any pro se parties not listed in JAWS. Please be sure to add your email to the associated parties in your case so you receive notifications.

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.



- Please use the above conference call phone # or Zoom info and not the physical address.

Setting a Hearing using JAWS

*****PLEASE KNOW THAT THE JUDICIAL ASSISTANT DOES AND WILL NOT ASSIST YOU WITH JAWS TROUBLESHOOTING OR IF YOU ENCOUNTER ISSUES UPLOADING COVER LETTERS/ORDERS. YOU MAY CALL JAWS CUSTOMER SERVICE TO ADDRESS THOSE MATTERS.*****

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 11 – Williams" calendar to schedule your hearing. A courtesy copy of the notice of hearing should be sent to the Judicial Assistant at Sfadhel@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 a Case Management Conference in JAWS.

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 bring these packets with them the day of trial.

Original Notes/Mortgages

It is **never** 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 Williams – 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 should be followed in mortgage foreclosure cases filed in Pinellas County.

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

All Motions are to be scheduled on the “**FORECLOSURE 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 15 MINUTES OR LESS

To schedule hearings of 15 minutes or less, please use the “**FORECLOSURE CALENDAR**” in **JAWS**.

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 “**FORECLOSURE 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.

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

Schedule using JAWS, 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. **If you need 2 hours or more, email the JA to offer you special set times.**

Sale Cancellations

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

MOTIONS WITHOUT HEARING (AO 2020–012)

Read procedure below

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 on written submissions pursuant to ADMINISTRATIVE ORDER 2020-012 and ADMINISTRATIVE ORDER 2017-007. 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
- ✓ Motions to Compel
- ✓ Motions to Strike
- ✓ Motions for Extension of Time
- ✓ Motions to Dismiss
- ✓ Motions for Substitution of Party Plaintiff
- ✓ Motions to Substitute Counsel
- ✓ 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.

Procedure: 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 (with cc to other parties)
 - *please include the **date** this motion was sent to opposing counsel.
2. A courtesy copy of the motion
3. Any supporting material of record
4. Copies of any material served in response by another party
5. **A PROPOSED ORDER**
6. Self-addressed stamped envelopes with copies for conforming.

PRE-TRIAL AND JURY TRIAL PRACTICE

All Exhibits should be properly & clearly marked, divided, and E-FILED.
All pertinent Case Law information should be highlighted and E-FILED under a
Notice of Filing.

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

➤ **DAY OF TRIAL, please bring Jury instructions and verdict forms to Court. Also, please e-mail a courtesy copy of the Jury Instructions and Verdict Forms to the judicial assistant for changes, if necessary.**

For security purposes, the Court does not accept discs or flash drives 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 to set jury trial should be provided to the court via e-mail (copy opposing counsel), **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 mediated.** Please do not send the JA Notices for Trials before mediation has occurred. Please indicate in your cover letter when the case was mediated. 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 and the case has been mediated, contact the judicial assistant to calendar the trial. If the parties cannot agree on a trial date, schedule a hearing in JAWS for that purpose and be sure to detail that in your hearing request.

Please email the judicial assistant at Sfadhel@jud6.org for the template for the jury trial order and Pretrial Conference Order, please be sure to input all correct names and dates etc...

You may include any agreed upon deadlines in your trial order and any deadlines that may have already been ordered by Judge Williams. The Pretrial conference will be telephonic, the dial-in information is already listed on the jury trial order.

Separately please submit your proposed Uniform PTC order to sfadhel@jud6.org at least 3 days prior to the pre-trial. After all parties agree, please upload the proposed trial order to JAWS in PDF format for Judge Williams to review and sign.

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. **Contact the judicial assistant to find out what specific date has been reserved for Motions in Limine for your trial docket.**

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 Williams 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

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 these on the Case Management Conference calendar in JAWS, these are set for up to 15 minutes, file a notice of hearing immediately **after** your request was accepted through JAWS.



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 and/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 Sfadhel@jud6.org to cancel any hearings or trials that may be scheduled. Please use "Cancellation" in the subject line.**

Hearings that you schedule in JAWS can 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

ALWAYS BE PREPARED TO LET THE JUDICIAL ASSISTANT KNOW WHETHER OPPOSING COUNSEL HAS ANY OBJECTION TO YOUR TELEPHONIC APPEARANCE FIRST

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, 727-582-7550, 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 both sides may be uploaded to JAWS and will be signed with Judge Williams' 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 one single document. MAKE SURE MOTIONS AND SUPPORTING DOCUMENTS ARE E-FILED PRIOR TO SUBMITTING THEM THROUGH JAWS. If the Judge receives a motion that has not been e-filed, it 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.
 4. Helpful tips:
 - a. Your cover letter should 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. (If there is an objection, submit the order via US mail or email to sfadhel@jud6.org with an explanatory cover letter.)
 - b. 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 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.

Case Law and providing the Court with documents prior to a hearing

Please send copies of motions no sooner than 5 days prior to a hearing. When sending motions or supporting documents to the Court, the cover letter should state when the hearing is scheduled. Case law should be highlighted and documents should be separated.

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 can be reached in Clearwater (727) 443-0657 or St. Petersburg (727) 821-0726. Bay Area Legal Services is available at 1-(800)-625-2257. Community Law Program, Inc., 727-

582-7480. Lawyer referral services of the Clearwater and St. Petersburg Bar Associations are at (727) 461-4880 and (727) 821-5450 respectively.

Civil Law Forms/Orders for Judge Amy Williams Circuit Civil Section 11



**IN THE CIRCUIT COURT FOR 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 Amy Williams** on _____, 20__ at ____:____am / pm in Room 417, 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__.

AMY WILLIAMS, 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 __, 2021.

Judge Amy Williams

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

Plaintiff(s),
v.

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 _____, 2021 at
_____: ____ am/pm via telephone conference call # (____) _____ - _____, access
code _____ before the Honorable Judge _____.

DONE AND ORDERED in Chambers in _____ County, Florida on this ____ day
of _____, 2021.

Circuit Court 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:

List Plaintiff(s)

List Defendant(s)

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

Case Number: _____

Plaintiff(s)

vs.

Defendant(s)

_____ /

ORDER SCHEDULING PRE-TRIAL AND NON-JURY TRIAL

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

ORDERED AND ADJUDGED that a Pre-trial is scheduled on _____ at
_____ a/p.m. and a Non-Jury Trial is scheduled on _____ at _____ a/p.m.
before the Honorable Amy M. Williams, Circuit Judge-All parties will attend virtually (see number
below)

**Dial-in number (US): (605) 313-5776
Access code: 332457#**

All parties or their representatives named herein and their counsel, if any, shall attend telephonically. The Court will only have an electronic file available at the Non-Jury Trial. It is counsel's responsibility to e-file ALL documents at least 5 days prior to trial. Failure to not e-file these documents prior to 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 in Chambers, at St. Petersburg, Pinellas County, Florida on this
_____ day of _____, 2022.

AMY WILLIAMS, 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:

List Plaintiff(s)

List Defendant(s)