

**IN THE THIRTEENTH JUDICIAL CIRCUIT  
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2022-033  
(Supersedes Administrative Order S-2021-024)**

**COUNTY CIVIL DIFFERENTIATED  
CASE MANAGEMENT PLAN**

For more than the past two years, the Florida Supreme Court has issued several administrative orders implementing temporary measures essential to safely administer justice during the COVID-19 pandemic. In Administrative Order AOSC21-17, Amendment 3 (*COVID-19 Health and Safety Protocols and Emergency Operational Measures for Florida Appellate and Trial Courts*) (January 8, 2022) (AOSC21-17), the state supreme court reiterated its direction to chief judges throughout the state to issue administrative orders requiring presiding judges in most civil cases to issue case management orders containing deadlines for completing certain pretrial matters and setting trial dates consistent with the time standards specified in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B) for the completion of civil cases.<sup>1</sup>

Based on the upcoming increase to the jurisdictional civil threshold of county courts and the need to modify certain provisions regarding case management in the County Civil Division, it is necessary to amend the county civil differentiated case management plan.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; Florida Rule of General Practice and Judicial Administration 2.215(b); and Florida Supreme Court Administrative Order AOSC21-17, Amendment 3 (January 8, 2022), it is ORDERED:

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<sup>1</sup> The Florida Supreme Court first mandated civil case management protocols in Administrative Order AOSC20-23, Amendment 10 (March 9, 2021).

**1. Case Type Designation**

Upon filing an applicable civil case<sup>2</sup> in the County Civil Division on or after the effective date of this administrative order, the Clerk of the Court (“clerk”) will immediately designate the matter a *streamlined* case or a *general* case based on the civil cover sheet case type when filing the action through the Florida Courts E-Filing Portal (“Portal”) as reflected in the following table:

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Abandoned Property (\$0.00 to \$15,000.00)	General
Abandoned Property (\$15,000.01 to \$30,000.00)	General
Abandoned Property (\$30,000.01 to \$50,000.00)	General
Accounts (\$8,000.01 to \$15,000.00)	General
Accounts (\$15,000.01 to \$30,000.00)	General
Accounts (\$30,000.01 to \$50,000.00)	General
Auto Negligence (\$8,000.01 to \$15,000.00)	General
Auto Negligence (\$15,000.01 to \$30,000.00)	General
Auto Negligence (\$30,000.01 to \$50,000.00)	General
Breach of Contract (\$8,000.01 to \$15,000.00)	General

<sup>2</sup>The civil cases to which these provisions apply are defined – in footnote 27 on page 18 of AOSC21-17, Amendment 3 – as actions to which the Florida Rules of Civil Procedure apply but does not include actions subject to section 51.011, Florida Statutes, post-judgment proceedings, or writs to which Florida Rule of Civil Procedure 1.630 applies.

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Breach of Contract (\$15,000.01 to \$30,000.00)	General
Breach of Contract (\$30,000.01 to \$50,000.00)	General
Contract & Indebtedness (\$8,000.01 to \$15,000.00)	General
Contract & Indebtedness (\$15,000.01 to \$30,000.00)	General
Contract & Indebtedness (\$30,000.01 to \$50,000.00)	General
Conversion (\$8,000.01 to \$15,000.00)	General
Conversion (\$15,000.01 to \$30,000.00)	General
Conversion (\$30,000.01 to \$50,000.00)	General
Debt Owed (\$8,000.01 to \$15,000.00)	General
Debt Owed (\$15,000.01 to \$30,000.00)	General
Debt Owed (\$30,000.01 to \$50,000.00)	General
Declaratory Judgment (\$0.00 to \$15,000.00 )	Streamlined
Declaratory Judgment (\$15,000.01 to \$30,000.00)	Streamlined
Declaratory Judgment (\$30,000.01 to \$50,000.00)	Streamlined
Enforcement of Lien (\$0.00 to \$15,000.00)	General
Enforcement of Lien (\$15,000.01 to \$30,000.00)	General
Enforcement of Lien (\$30,000.01 to \$50,000.00)	General

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Equity (\$8,000.01 to \$15,000.00)	General
Equity (\$15,000.01 to \$30,000.00)	General
Equity (\$30,000.01 to \$50,000.00)	General
Goods Sold (\$8,000.01 to \$15,000.00)	General
Goods Sold (\$15,000.01 to \$30,000.00)	General
Goods Sold (\$30,000.01 to \$50,000.00)	General
Interpleader (\$0.00 to \$15,000.00)	General
Interpleader (\$15,000.01 to \$30,000.00)	General
Interpleader (\$30,000.01 to \$50,000.00)	General
Money Lent (\$8,000.01 to \$15,000.00)	General
Money Lent (\$15,000.01 to \$30,000.00)	General
Money Lent (\$30,000.01 to \$50,000.00)	General
Non-Monetary Equitable Relief	General
Other Negligence (\$8,000.01 to \$15,000.00)	General
Other Negligence (\$15,000.01 to \$30,000.00)	General
Other Negligence (\$30,000.01 to \$50,000.00)	General
Personal Injury Protection – Tier 1 (\$0.00 to \$99.99)	General
Personal Injury Protection – Tier 2 (\$100.00 to \$500.00)	General

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Personal Injury Protection – Tier 3 (\$500.01 to \$2,500.00)	General
Personal Injury Protection – Tier 4 (\$2,500.01 to \$5,000.00)	General
Personal Injury Protection – Tier 5 (\$5,000.01 to \$8,000.00)	General
Personal Injury Protection – Tier 6 (\$8,000.01 to \$15,000.00)	General
Personal Injury Protection – Tier 7 (\$15,000.01 to \$30,000.00)	General
Personal Injury Protection – Tier 8 (\$30,000.01 to \$50,000.00)	General
Promissory Note (\$8,000.01 to \$15,000.00)	General
Promissory Note (\$15,000.01 to \$30,000.00)	General
Promissory Note (\$30,000.01 to \$50,000.00)	General
Real Property/Mortgage Foreclosure (\$0.00 to \$15,000.00)	General
Real Property/Mortgage Foreclosure (\$15,000.01 to \$30,000.00)	General
Real Property/Mortgage Foreclosure (\$30,000.01 to \$50,000.00)	General
Replevin – Tier 1 (\$0.00 to \$99.99)	Streamlined
Replevin – Tier 2 (\$100.00 to \$500.00)	Streamlined
Replevin – Tier 3 (\$500.01 to \$2,500.00)	Streamlined
Replevin – Tier 4 (\$2,500.01 to \$5,000.00)	Streamlined
Replevin – Tier 5 (\$5,000.01 to \$8,000.00)	Streamlined

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Replevin – Tier 6 (\$8,000.01 to \$15,000.00)	Streamlined
Replevin – Tier 7 (\$15,000.01 to \$30,000.00)	Streamlined
Replevin – Tier 8 (\$30,000.01 to \$50,000.00)	Streamlined
Windshield Litigation – Tier 1 (\$0.00 to \$99.99)	General
Windshield Litigation – Tier 2 (\$100.00 to \$500.00)	General
Windshield Litigation – Tier 3 (\$500.01 to \$2,500.00)	General
Windshield Litigation – Tier 4 (\$2,500.01 to \$5,000.00)	General
Windshield Litigation – Tier 5 (\$5,000.01 to \$8,000.00)	General
Windshield Litigation – Tier 6 (\$8,000.01 to \$15,000.00)	General
Windshield Litigation – Tier 7 (\$15,000.01 to \$30,000.00)	General
Windshield Litigation – Tier 8 (\$30,000.01 to \$50,000.00)	General
Work Done (\$8,000.01 to \$15,000.00)	General
Work Done (\$15,000.01 to \$30,000.00)	General
Work Done (\$30,000.01 to \$50,000.00)	General
Money Lent (\$30,000.01 to \$50,000.00)	General
Non-Monetary Equitable Relief	General
Other Negligence (\$8,000.01 to \$15,000.00)	General
Other Negligence (\$15,000.01 to \$30,000.00)	General

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Other Negligence (\$30,000.01 to \$50,000.00)	General
Personal Injury Protection – Tier 1 (\$0.00 to \$99.99)	General
Personal Injury Protection – Tier 2 (\$100.00 to \$500.00)	General
Personal Injury Protection – Tier 3 (\$500.01 to \$2,500.00)	General
Personal Injury Protection – Tier 4 (\$2,500.01 to \$5,000.00)	General
Personal Injury Protection – Tier 5 (\$5,000.01 to \$8,000.00)	General
Personal Injury Protection – Tier 6 (\$8,000.01 to \$15,000.00)	General
Personal Injury Protection – Tier 7 (\$15,000.01 to \$30,000.00)	General
Personal Injury Protection – Tier 8 \$30,000.01 to \$50,000.00	General
Promissory Note (\$8,000.01 to \$15,000.00)	General
Promissory Note (\$15,000.01 to \$30,000.00)	General
Promissory Note (\$30,000.01 to \$50,000.00)	General
Real Property/Mortgage Foreclosure (\$0.00 to \$15,000.00)	General
Real Property/Mortgage Foreclosure (\$15,000.01 to \$30,000.00)	General
Real Property/Mortgage Foreclosure (\$30,000.01 to \$50,000.00)	General
Replevin – Tier 1 (\$0.00 to \$99.99)	Streamlined
Replevin – Tier 2 (\$100.00 to \$500.00)	Streamlined

<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Replevin – Tier 3 (\$500.01 to \$2,500.00)	Streamlined
Replevin – Tier 4 (\$2,500.01 to \$5,000.00)	Streamlined
Replevin – Tier 5 (\$5,000.01 to \$8,000.00)	Streamlined
Replevin – Tier 6 (\$8,000.01 to \$15,000.00)	Streamlined
Replevin – Tier 7 (\$15,000.01 to \$30,000.00)	Streamlined
Replevin – Tier 8 (\$30,000.01 to \$50,000.00)	Streamlined
Pawn Shop Replevin (\$30,000.01 to \$50,000.00)	Streamlined
Windshield Litigation – Tier 1 (\$0.00 to \$99.99)	General
Windshield Litigation – Tier 2 (\$100.00 to \$500.00)	General
Windshield Litigation – Tier 3 (\$500.01 to \$2,500.00)	General
Windshield Litigation – Tier 4 (\$2,500.01 to \$5,000.00)	General
Windshield Litigation – Tier 5 (\$5,000.01 to \$8,000.00)	General
Windshield Litigation – Tier 6 (\$8,000.01 to \$15,000.00)	General
Windshield Litigation – Tier 7 (\$15,000.01 to \$30,000.00)	General
Windshield Litigation – Tier 8 (\$30,000.01 to \$50,000.00)	General
Work Done (\$8,000.01 to \$15,000.00)	General
Work Done (\$15,000.01 to \$30,000.00)	General



<b>CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL</b>	<b>INITIAL DESIGNATION OF CASE</b>
Work Done (\$30,000.01 to \$50,000.00)	General

**2. Differentiated Case Management Order**

A. Two Distinct Differentiated Case Management Orders

A uniform Differentiated Case Management Order (“DCM Order”) will be automatically generated by the clerk based on the initial designation made by plaintiff when filing the initial complaint or petition. *Streamlined* cases and *general* cases will each have its own individualized DCM Order. Each DCM Order will be electronically signed by the presiding judge in each new case, contain deadlines for completing certain pretrial matters, and specify a projected month and year of the anticipated trial. If a presiding judge is no longer serving as a judge because of resignation, removal, or death, the administrative judge of the County Civil Division will electronically sign the DCM Order until a replacement judge is assigned to the respective division.

B. Streamlined Cases

The deadlines for *streamlined* cases will be consistent with the time standards provided in Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B) that establish 12 months from filing to final disposition as a presumptively reasonable time for the completion of a non-jury civil case.

C. General Cases

The deadlines for *general* cases will be consistent with the time standards provided in Rule 2.250(a)(1)(B) that establish 18 months from filing to final disposition as a presumptively reasonable time for the completion of a jury civil case.

D. Deadline for Stipulated Notice for Trial or Motion to Set Case for Trial

The DCM Orders will also establish deadlines for filing either

a stipulated Notice for Trial or a Motion to Set Case for Trial.

**3. Service of DCM Order**

Because DCM Orders will be automatically generated concurrently with the issuance of summonses, plaintiffs must serve the DCM Order on the defendant(s) along with the summons and complaint. The service of the DCM Order must be made in the same manner and at the same time as the complaint itself is served.

**4. Modification of Deadlines**

A. Stipulated Amended DCM Order

Counsel and self-represented litigants may believe that the unique circumstances presented in their case support the entry of a case management order specifically tailored to their case. Therefore, the parties are encouraged to consult and confer in an effort to draft a stipulated Amended Differentiated Case Management Order (“Amended DCM Order”). Any stipulated Amended DCM Order must contain agreed upon deadlines for all deadline categories established in the DCM Order, including a deadline for filing either a stipulated Notice for Trial or a Motion to Set Case for Trial, and all final disposition deadlines must comply with Rule 2.250(a)(1)(B).

B. Unstipulated Motion to Modify DCM Order

If counsel and any self-represented party cannot mutually agree to deadlines for all categories established in the DCM Order, a party may seek to modify a particular deadline or deadlines in the DCM Order by filing a motion and setting it for hearing. Before the moving party files the motion, the party or counsel should confer with the opposing party or opposing counsel in a good faith effort to resolve the issue(s) raised by the motion. The motion should include a statement certifying that the moving party or moving party’s counsel has conferred with the opposing party or opposing party’s counsel – either in person, by telephone, or by video conferencing device – and stating whether the party or counsel agree on the resolution of the motion. A certification to the effect that opposing party or opposing party’s counsel was unavailable for a conference before filing a motion should describe, with particularity, all of the efforts undertaken to accomplish dialogue with the opposing party

or opposing party's counsel prior to filing the motion. The motion should also indicate what, if any, impact modification of the particular deadline(s) will have on all of the remaining deadlines established by the DCM Order.

**5. Stipulated Notice for Trial or Motion to Set Case for Trial**

All DCM Orders and any Amended DCM Orders that are issued will include a deadline for filing either a stipulated Notice for Trial or a Motion to Set Case for Trial.

**A. Stipulated Notice for Trial**

The parties may submit through the Portal a stipulated Notice for Trial. The Notice for Trial should indicate the specific week the parties have stipulated for the case to be tried. Available trial weeks will be available on the presiding judge's calendar. Counsel may obtain a trial week on the Judicial Automated Workflow System (JAWS) calendar. Self-represented parties may secure available trial weeks by e-mailing the respective judicial assistant at the court's divisional e-mail address accessed via the judicial directory posted on the court's webpage and copying all associated parties or their counsel on the e-mail.

**B. Motion to Set Case for Trial**

If the parties cannot stipulate to a trial week, a party may file a motion to set the case for trial. All motions to set case for trial will contain a certificate by the party or attorney filing such motion that the party or attorney has discussed the subject matter of the motion with all other parties or attorneys and has been unable to reach agreement concerning the setting of the case for trial or that the opposing parties or attorneys have failed to respond. Counsel may secure hearing time for a motion to set case for trial on the JAWS calendar. Self-represented parties may secure hearing time for a motion to set case for trial by contacting the judicial assistant at the appropriate divisional e-mail address.

C. Failure to Timely File a Stipulated Notice for Trial or a Motion to Set Case for Trial

If the parties fail to timely file a stipulated Notice for Trial or a Motion to Set Case for Trial, then the court may, on its own, enter an Order Setting Case for Trial & Pretrial in order to comply with the time standards specified in Rule 2.25(a)(1)(B).

6. Order Setting Case for Trial and Pretrial Conference

If the court has not, on its own, entered an Order Setting Case for Trial & Pretrial in accordance with section 6.C. of this administrative order, counsel will be directed to prepare and submit to the court through the Portal an Order Setting Case for Trial & Pretrial using the firm trial date established by the court.

7. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2021-024 (*County Civil Differentiated Case Management Plan*).

8. Effective Date

This administrative order is effective on January 1, 2023.

ENTERED on November 28, 2022.



Ronald N. Ficarrota, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court

Copy: All County Civil Division Judges

Douglas R. Bakke, Chief Operating Officer, Court Operations, Clerk of the Circuit Court

Hillsborough County Bar Association

The Honorable Robert Morris, Chair, Florida Judicial Management Council's Workgroup on Improved Resolution of Civil Cases