

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

**ADMINISTRATIVE ORDER S-2024-085
(Supersedes Administrative Order S-2021-060)**

**CIRCUIT CIVIL DIFFERENTIATED
CASE MANAGEMENT PLAN**

In Opinion SC2023-0837 (*In re: Amendments to Florida Rules of General Practice and Judicial Administration*) (March 21, 2024 – Corrected Opinion) the Florida Supreme Court amended Rule of General Practice and Judicial Administration 2.250(a)(1)(B) to clarify the presumptively reasonable time periods for the completion of civil cases in the trial courts of Florida.

In Opinion SC2023-0962 (*In re: Amendments to Florida Rules of Civil Procedure*) (December 5, 2024) the Florida Supreme Court amended various civil rules of court to create a framework for the active case management of civil cases with a focus on adhering to deadlines established early based on the complexity of a case, while providing room for customization by judicial circuits given the varying levels of volume, resources, and available automation.

Administrative Order S-2021-060 (*Circuit Civil Differentiated Case Management Plan*) was previously entered to implement a case management plan for civil cases filed in the Thirteenth Judicial Circuit. In light of the rule amendments made by the Florida Supreme Court above, it is necessary for the proper and efficient administration of justice to update this Circuit's Circuit 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; and Florida Rule of General Practice and Judicial Administration 2.215(b), it is ORDERED:

1. Case Type Designation

With the exception of the civil case actions identified in Florida Rule of Civil Procedure 1.200(a), upon filing a civil case in the

Circuit Civil Division on or after the effective date of this administrative order, the Clerk of the Circuit 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:

CASE TYPE INDICATED BY PLAINTIFF AT THE E-FILING PORTAL	INITIAL DESIGNATION OF CASE
Accounts	Streamlined
Accounting	Streamlined
Arbitration	Streamlined
Asbestos	General
Attachments	Streamlined
Auto Negligence	General
Bond Validation	General
Breach of Contract	General
Business Torts	General
Business Transactions	General
Cancel Judgment	Streamlined
Civil Action for Damages	General
Commercial Mortgage Foreclosure - \$50,000 or Less	Streamlined
Commercial Mortgage Foreclosure - \$50,001 to \$249,999	Streamlined
Commercial Mortgage Foreclosure - \$250,000 or More	Streamlined
Conversion	General
Condominium	Streamlined
Constitutional Challenge – Proposed Amendment	General
Constitutional Challenge – Statute/Ordinance	General
Construction Defect	General
Contraband Forfeiture	Streamlined
Contract and Indebtedness	General
Declaratory Judgment	General

Delinquent Taxpayer	Streamlined
Delinquent Tenant	Streamlined
Discrimination	General
Dissolution of Corporation	General
Dissolution of Partnership	General
Distress for Rent	Streamlined
Ejectment	Streamlined
Eminent Domain	General
All Homestead Mortgage Foreclosures	Streamlined
Injunction	General
Insurance Claims	General
Interpleader	General
Libel/ Slander	General
Mass Tort	General
Modification of Final Judgment	General
Negligent Security	General
All Non-Homestead Mortgage Foreclosures	Streamlined
Nursing Home Negligence	General
Other	General
Other Negligence	General
Partition - \$50,000 or Less	Streamlined
Partition - \$50,001 to \$249,999	Streamlined
Partition - \$250,000 or More	Streamlined
Perpetuate Testimony	Streamlined
Premises Liability – Commercial	General
Premises Liability – Residential	General
Product Liability	General
Professional Malpractice – Business	General
Professional Malpractice – Medical	General
Professional Malpractice – Other	General
Real Property - \$50,000 or Less	Streamlined
Real Property - \$50,001 to \$249,999	Streamlined
Real Property - \$250,000 or More	Streamlined
Reentered Civil Action	General
Replevin	Streamlined

Rule to Show Cause	General
Specific Performance	Streamlined
Tax Litigation	General
Taxpayer Denial of Refund	General
Third Party Indemnification	General
Tobacco Litigation	General
Trust Litigation	General

2. Complex Cases

The clerk's initial designation above does not prevent the case from being separately classified as complex in accordance with Florida Rule of Civil Procedure 1.201 and does not prevent the case from proceeding forward as provided in Rule 1.201.

3. Business Court Exception

If the filed civil cover sheet triggers initial assignment to Circuit Civil Division "L" (Business Court) in accordance with Administrative Order S-2013-021 or its successor, then the clerk will not designate the case as a streamlined or general case but instead will file the case in Division "L" and the case will proceed in accordance with Local Rule 3 (*Business Court Procedure*).

4. 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.

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)iii. 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)ii. for the completion of a jury civil case.

D. Setting of Case Management Conference in General Cases

The DCM Order for general cases will also set a case management conference in each case and will serve as a notice of the date and time of the case management conference.

5. Service of DCM Order

Because DCM Orders will be automatically generated upon the filing of the complaint, 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.

6. Modification of Deadlines

Any modification to the deadlines contained in a DCM Order must be made in accordance with the requirements of Rule of Civil Procedure 1.200(e). Prior to the filing of any motion to extend a deadline or amend a case management order, the party or counsel must confer with the opposing party or opposing counsel in a good faith effort to resolve the issue(s) raised by the motion. The motion must 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 must 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.

7. Amended Differentiated Case Management Order

A uniform Amended DCM Order is available on the court's website at www.fljud13.org. The Amended DCM Order for general cases must include a date and time for a case management conference. Counsel must secure hearing time for the case management conference on the Judicial Automated Workflow System (JAWS) and should select hearing time on either the Uniform Motion Calendar docket or the 15-minute hearing docket. The amount of time scheduled for the case management conference must allow for a discussion of selecting a trial date. Self-represented parties may secure hearing time for a case management conference 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.

8. Case Management Conference

For general cases, all DCM Orders and any Amended DCM Orders that are issued will set a case management conference and will serve as a notice of the date and time of the case management conference. The case management conference will be scheduled prior to the close of fact discovery to allow the presiding judge to assess the progress of the case and set a firm trial date. Unless excused by the presiding judge or by section 10 of this administrative order, all lead trial counsel and all self-represented parties must attend the case management conference.

9. Order Setting Case for Trial and Pretrial Conference

Once a firm trial date is established, counsel will be directed to prepare and submit to the court through the Portal a Uniform Order Setting Trial and Pretrial. The Uniform Order Setting Trial and Pretrial is available on the court's website at www.fljud13.org. The Uniform Order Setting Trial and Pretrial requires that counsel calculate specified additional deadlines.

10. Excusal from Case Management Conference

A. Automatic Excusal if Order Setting Trial and Pretrial Already Submitted

Unless otherwise ordered by the presiding judge, counsel and

self-represented parties will be automatically excused from attending a case management conference if a Uniform Order Setting Trial and Pretrial has been timely submitted for the court's signature. Any party seeking to invoke this automatic excusal provision should immediately notify the judicial assistant after the Uniform Order Setting Trial and Pretrial is submitted for consideration.

B. Discretionary Excusal Only if Good Cause Shown

Counsel and self-represented parties may seek an excusal from attending a case management conference by timely filing a motion demonstrating good cause why excusal is necessary. If the motion is stipulated to by all parties, the movant should also submit a proposed order. If the motion is not stipulated to by all parties, then a hearing should be scheduled by the moving party.

11. Failure to Attend Case Management Conference

Unless counsel and self-represented parties are excused from attending the case management conference under section 8 of this administrative order, failure to attend the case management conference may result in the case being set for a firm trial date without input of the absent counsel or self-represented party, or may result in another appropriate sanction.

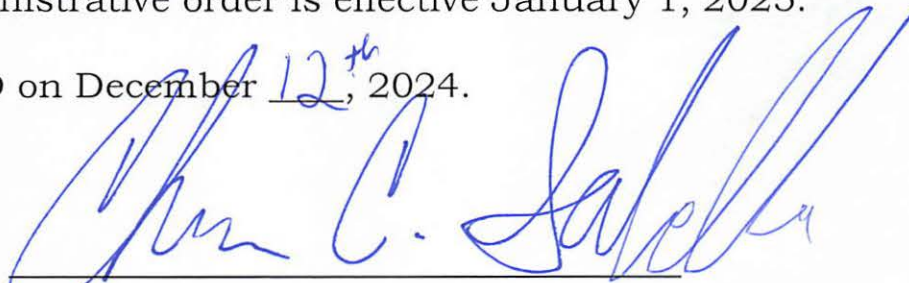
12. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2021-060 (*Circuit Civil Differentiated Case Management Plan*).

13. Effective Date

This administrative order is effective January 1, 2025.

ENTERED on December 12th, 2024.



Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court
Copy: All Circuit Civil Division Judges
Brandi Williams, Chief Operating Officer, Court
Operations, Clerk of the Circuit Court
Hillsborough County Bar Association