

CASE NO:

Petitioner(s),

vs.

Defendant(s).

**STANDING ORDER IN RESIDENTIAL MORTGAGE FORECLOSURE CASES
IN CHARLOTTE COUNTY**

PURSUANT to Rules 2.250 and 2.545, Florida Rules of Judicial Administration, and Rule 1.200(a), Florida Rules of Civil Procedure, the parties are ordered to adhere to the following information and procedures applicable to residential mortgage foreclosure civil lawsuits:

1. **SERVICE OF THIS ORDER.** The Plaintiff is directed to serve a copy of this order with each Summons issued in this case. One copy of this Order is to be filed with the Clerk of the Circuit Court with proof of service. The Plaintiff shall pay the appropriate statutory clerk's fees on copies for each Standing Order issued and attached to the Summons.

2. **CIVIL CASE MANAGEMENT PLAN.** The Supreme Court of Florida has established guidelines for the prompt processing and resolution of civil cases, and has expressly mandated that the Court "shall take charge of all cases at an early stage in the litigation and shall control the progress of the case thereafter until the case is determined." Fla. R. Jud. Admin. 2.545(b). The time standard deemed by the Supreme Court of Florida to be presumptively reasonable for the disposition of civil non-jury cases is 12 months from filing to final disposition. Fla. R. Jud. Admin. 2.250(a)(1)(B). Accordingly, in Residential Mortgage Foreclosure cases filed on or subsequent to August 1, 2015, and upon the filing of a responsive pleading to the complaint, the Court will issue a Case Management Plan establishing mandatory time-frames with the goal of resolution within 12 months.¹ The parties may request that the plan be amended by submitting a proposed agreed amended plan to the Civil Case Management Department, or if unable to agree on an amended plan, by filing a motion with the Court for a Case Management Conference. Trials will be scheduled before the assigned Circuit Judge, Senior Judge or may be referred to a General Magistrate based on the trial date set forth in the Case Management Plan, or earlier than the trial date set forth in the Case Management Plan upon the filing of a notice of readiness for trial.

3. **ALTERNATIVE DISPUTE RESOLUTION (ADR).** Early mediation shall be available pursuant to local Administrative Order No. 1.14, In re: Homestead Mediation Program for Residential Homestead Mortgage Foreclosure Actions, which can be viewed on the website of the Administrative Office of the Courts: https://www.ca.cjis20.org/pdf/ao/ao_1_14.pdf In the event that the deadlines for seeking early mediation pursuant to Administrative Order No. 1.14 have expired, and a party subsequently requests that the Court direct mediation or the Court on its own motion orders mediation, the general provisions of Administrative Order No. 1.14 shall apply to any such mediation ordered.

4. **MOTIONS TO CONTINUE TRIAL**. A Motion to Continue any trial must be filed with the clerk and emailed to the Civil Case Management Department at civilcmcharlotte@ca.cjis20.org. Motions to Continue can only be heard or granted by the assigned circuit judge or by the senior judge or upon recommendation of a magistrate presiding over the trial.

5. **RULES OF PROFESSIONALISM**. The Twentieth Judicial Circuit has adopted local Administrative Order 2.20, which sets forth standards of professional courtesy and conduct for all counsel or pro-se litigants practicing within the Circuit. The Court requires that all parties or counsel for parties familiarize themselves and comply with Administrative Order 2.20. Administrative Order 2.20 may be viewed on the website of the Administrative Office of the Courts: http://www.ca.cjis20.org/web/main/ao_admin.asp

DONE AND ORDERED in Chambers at Punta Gorda, Charlotte County, Florida, on July 1, 2020.


HON. GEOFFREY H. GENTILE
CIRCUIT JUDGE