

COREY AMANDA CAWTHON
County Court Judge
Seventeenth Judicial Circuit of
Florida



South Regional Courthouse
3550 Hollywood Boulevard
Hollywood, FL 33021

**CIVIL DIVISION 61/CRIMINAL DIVISION SC
PROCEDURES AND FORMS
(Revised July 19, 2024)
Chambers 226
Courtroom 230**

DIVISION PROCEDURES

Welcome to Broward County Civil Division 61/Criminal Division SC. We are committed to working with you and assisting you with any questions you may have.

PLEASE NOTE JUDGE CAWTHON'S ZOOM INFORMATION:

Join Zoom Meeting:

<https://17thflcourts.zoom.us/j/606672692>

Meeting ID: 606 672 692

Conference calling:

Dial: 1 646 876 9923 (follow prompts)

Enter Meeting ID: 606 672 692 and press #

Table of Contents (Procedures)

A. Communications with the Judicial Office	Page 2
B. Hearing Procedures	Page 2
C. Remote and In-Person Appearances	Page 4
D. Submission of Orders and Judgments	Page 5
E. Courtesy Copies	Page 6
F. Emergency and Other Urgent Matters	Page 6
G. Exhibits for Evidentiary Proceedings	Page 6
H. Pretrial Procedure and Conferences	Page 6
I. Setting Case for Trial	Page 7
J. Division Forms	Page 7
K. Other Division Procedures	Page 7
i. Requests to Withdraw/for Substitution of Counsel	
ii. Motions for Continuance	
iii. Interpreters for County Civil Cases	

PROCEDURE A: COMMUNICATIONS WITH THE JUDICIAL OFFICE

If you have any questions, please email us at div61@17th.flcourts.org for civil division inquiries or at divsc@17th.flcourts.org for criminal division inquiries. *Please remember to copy the opposing party on all emails to the Court.* This will help ensure a prompt response. Before sending your email, be sure to obtain the other party's email address as required by Florida law, the Florida Rules of Civil Procedure, and the Florida Rules for Judicial Administration. It is important to note that court personnel are not permitted to relay ex parte information to the Court.

You may also reach Judge Cawthon's Judicial Assistant at (954) 831-0308. If we are unable to answer your call right away, you may leave a message or correspond through email at the addresses noted above and copy the other side in the email.

PROCEDURE B: HEARING PROCEDURES

DIVISION 61

HOW DO I GET A HEARING?

STEP 1: FILE YOUR MOTION WITH THE CLERK OF COURTS. All Motions must be filed and show on the online docket prior to scheduling hearings on same.

STEP 2: DETERMINE WHETHER YOU MUST SCHEDULE ONLINE OR WHETHER YOU MUST CONTACT THE JUDICIAL ASSISTANT.

ONLINE SCHEDULING

All Motion calendar (UMC) hearings (5 minutes), as well as special set hearings that are 15 or 30 minutes in duration, should be scheduled using the online scheduling system. (See "Online Scheduling" at www.17th.flcourts.org.) Please do not schedule any motions which you know ordinarily take more than the time allotted. All special set hearings greater than 30 minutes in duration must be coordinated with the Judicial Assistant.

No more than 2 hearings may be scheduled per case during a single UMC calendar session without prior express permission from the Court. Further, Judge Cawthon does not allow "add-on" hearings once a hearing has been scheduled without prior express permission from the Court.

No law firm (including all attorneys affiliated with the firm) may set more than 3 motions on any single docket, even if the motions involve separate case files, without prior express permission from the Court.

All parties must comply with the Local Rules when scheduling hearings. As such, all parties must confer **prior** to scheduling a hearing and must make a good faith effort to resolve the issues.

After setting a hearing using the online scheduling system, please e-file your Notice of Hearing.

CONTACT THE JUDICIAL ASSISTANT

For all hearings requiring coordination via the Judicial Assistant, please contact Judge Cawthon's Judicial Assistant by email at div61@17th.flcourts.org to request the hearing. Please send a new email for every hearing request. Due to continuing delays in the Clerk's office, please attach a courtesy copy of your e-filed motion to your email to the Judicial Assistant. **Your email request MUST include the Court's case number (not your office case or file number) and the names of the parties in the subject line of the email.**

Parties must contact the Judicial Assistant in order to coordinate and schedule **Claim of Exemption Hearings, Eviction Hearings, and Unlawful Detainer Hearings**. These hearings are not to be scheduled without the Judicial Assistant, even if scheduled via the online scheduling system. Hearings set without coordination via the Judicial Assistant will be cancelled and rescheduled accordingly.

Parties must also contact the Judicial Assistant in order to coordinate and schedule **Evidentiary Attorney Fee Hearings**. These hearings are not to be scheduled without the Judicial Assistant, even if scheduled via the online scheduling system. Hearings set without coordination via the Judicial Assistant will be cancelled and rescheduled accordingly. Attorneys must email their Motion to Tax Costs and Award Attorney's Fees to div61@17th.flcourts.org with their hearing request. Once received, the Judge will enter an order Preliminary to hearing on Motion to Tax Costs and Award Attorney's Fees, if not already entered. Once the attorneys have complied with the Preliminary Order and are ready for a special set hearing, the moving attorney must contact the Judicial Assistant to obtain special set hearing time.

NOTE: IF YOUR CASE DOES NOT INVOLVE ATTORNEYS FOR ALL PARTIES, THEN THE HEARINGS MUST BE SET THROUGH THE JUDICIAL ASSISTANT, UNLESS THE SELF-REPRESENTED PARTY HAS AGREED TO PARTICIPATE IN ONLINE SCHEDULING. PLEASE PROVIDE A NOTE IN YOUR EMAIL IF A PARTY IS PRO SE.

NONRESPONSIVE ATTORNEYS

It is **mandatory** that all parties consult with one another regarding their availability. If a hearing is unilaterally set without any effort to coordinate a date and time with opposing counsel, that matter will not be heard by the Court. However, if a party has made a good faith attempt to schedule a hearing with opposing counsel and counsel has failed to respond after **3 attempts** via email and/or phone, then the party may schedule the hearing unilaterally. Any hearings scheduled unilaterally pursuant to these instructions **must** include a note on the Notice of Hearing stating, "*Set Unilaterally Pursuant to Judge Cawthon's Division Instructions*". Further, counsel attending any hearing unilaterally set pursuant to these instructions will be expected to present proof of attempts to coordinate with opposing counsel at the hearing.

STEP 3: CANCEL THE HEARING IF RESOLVED. Should any scheduled hearing become unnecessary, the scheduling party shall immediately cancel the hearing online if initially scheduled via the online scheduling system or the scheduling party shall immediately send an email to the Judicial Assistant explaining the reason for the desired cancellation if initially scheduled via coordination with the Judicial Assistant.

ANY HEARING SET WITHOUT FOLLOWING THESE INSTRUCTIONS WILL BE CANCELLED BY THE COURT AND SANCTIONS MAY BE IMPOSED.

PLEASE NOTE THAT ALL NOTICE AND TIME PROVISIONS OF THE FLORIDA RULES OF CIVIL PROCEDURE, SMALL CLAIMS RULES (WHEN APPLICABLE) AND 17TH JUDICIAL CIRCUIT LOCAL RULES AND ADMINISTRATIVE ORDERS APPLY.

DIVISION SC

For assistance scheduling any criminal hearing in Division SC, please contact the Judicial Assistant at divsc@17th.flcourts.org or (954) 831-0308 to receive further information.

PROCEDURE C: REMOTE AND IN-PERSON APPEARANCES

DIVISION 61

In-person proceedings for all civil hearings and non-jury trials in Division 61 will continue to be limited by the Court. Please review court notices, as well as any re-notices, to determine whether specific proceedings will take place in-person or via Zoom. Persons desiring to appear in-person should contact the Judicial Assistant for further information, and the Court will consider these requests on a case-by-case basis.

All civil small claims pretrial conferences shall take place in-person at the South County Courthouse as reflected on the hearing notices. Unless otherwise specified by the Court, all civil Uniform Motion Calendar (UMC) and 15-30 minute Special Set Hearings shall continue to proceed via Zoom. The Court may notice evidentiary hearings, non-jury trials, and lengthier special set hearings to proceed in-person at the Court's discretion and with advance approval by the Judge.

In-person proceedings shall be held at the South County Courthouse, 3550 Hollywood Blvd., Courtroom 230, Hollywood, Florida 33021.

Remote proceedings held via Zoom shall be held via the following hearing link:

Join Zoom Meeting:

<https://17thflcourts.zoom.us/j/606672692>

Meeting ID: 606 672 692

Conference calling:

Dial: 1 646 876 9923 (follow prompts)

Enter Meeting ID: 606 672 692 and press #

This link will allow attorneys and litigants the ability to attend hearings by video conference at no cost to the participant.

DIVISION SC

Unless otherwise specified by the Court, all criminal hearings and non-jury trials for Division SC shall take place in-person at the South County Courthouse. Please review court notices, as well as re-notices, for the appropriate information. In-person proceedings shall be held at the South County Courthouse, 3550 Hollywood Blvd., Courtroom 230, Hollywood, Florida 33021.

PROCEDURE D: SUBMISSION OF ORDERS AND JUDGMENTS - DIVISION 61 ONLY

PLEASE do NOT call to inquire whether the Judge has signed a particular order or has received any document or pleading. We are unable to answer such questions because of the volume of phone calls and mail received each day.

PROCEDURE FOR AGREED ORDERS/COMPEL ORDERS/ORDERS INVOKING RULES OF CIVIL PROCEDURE

Judge Cawthon participates in the online e-order system (CMS). This means that if you are submitting an **Agreed Order, Ex-Parte Order Compelling Discovery**, or an **Order Invoking the Rules of Civil Procedure**, and all parties are represented by an attorney, you **must** submit these through the online e-order system. Agreed Orders must be titled as such and must include language in the body of the Order indicating the Order has been submitted pursuant to agreement of the parties. Additionally, please note that you **must** use the approved form (included in these divisional instructions) when submitting an **Order Invoking the Rules of Civil Procedure**.

If any party in the case is not represented by counsel, and does not have a registered email address, then they must submit their request/proposed order directly to chambers (physically) at 3550 Hollywood Blvd., Ste. 226, Hollywood, Florida 33021.

PROCEDURE FOR PROPOSED ORDERS ON EVICTIONS/UNLAWFUL DETAINER/GARNISHMENTS/JUDGMENTS

Proposed orders on eviction/unlawful detainer cases, garnishments, or judgments may be submitted to the Judge via the online e-order system (CMS), U.S. Mail, or hand-delivery. Proposed orders submitted via U.S. Mail or hand-delivery must include the corresponding motion, as well as copies of the Order for all parties and self-addressed, stamped envelopes for all parties.

Please note that any proposed order or final judgment submitted via the online e-order system will be rejected if the corresponding motion, stipulation, or affidavits has not been electronically filed **and** accepted by the Clerk of Court (the motion, stipulation, and/or affidavits must be docketed before submission of the order).

PROPOSED ORDERS AFTER A HEARING

A party may not submit an order through the online e-order system following a hearing unless the form of the order has been approved by both parties. If the parties cannot agree on the wording of an order after the Court has ruled, each party shall submit their own order to the Judge with a cover letter explaining that the parties disagree as to the Court's ruling. In this event, the parties are to submit their proposed orders/cover letters on a **single** email to the division and must attach the competing proposed orders in

Microsoft Word format. The Judge will then select the order she feels most accurately reflects her ruling or she may draft a separate order if needed.

For assistance with submitting e-orders, please visit:
<http://www.17th.flcourts.org/index.php/self-help/eorders>.

PROCEDURE E: COURTESY COPIES - DIVISION 61 ONLY

Generally, the Court does not require courtesy copies. If you desire to transmit a courtesy copy to the Court, please first contact the Judicial Assistant at div61@17th.flcourts.org.

PROCEDURE F: EMERGENCY AND OTHER URGENT MATTERS - DIVISION 61 ONLY

Please do not simply email the Court stating that you have an emergency. You must comply with the requirements of Administrative Order 2021-51-CO, "Circuit and County Civil and Probate Emergency Matters," including the submission of a "Request for Emergency Relief."

PROCEDURE G: EXHIBITS FOR EVIDENTIARY PROCEEDINGS - DIVISION 61 ONLY

Any exhibit(s) either party desires to use at trial exceeding four (4) pages in length must be consecutively paginated (by bates-stamp method or otherwise).

Parties must abide by the order setting any such evidentiary hearing/trial to provide the Court and opposing parties with copies of all exhibits prior to such proceeding. Any exhibit not provided to the Court and opposing parties in accordance with said order setting hearing will not be allowed for use at the evidentiary hearing/trial.

The Court does not review exhibits on cell phones or laptops. Hard copies must be provided to the Court either in advance (if the hearing is proceeding via Zoom) or at the time of the hearing (if the hearing is proceeding in-person).

PROCEDURE H: PRETRIAL PROCEDURES AND CONFERENCES - DIVISION 61 ONLY

Parties should note that cases before Judge Cawthon, except evictions, are governed by Administrative Order 2023-8-CIV, "Establishment and Implementation of Civil Case Management Plan."

All small claims pretrial conferences are set as IN-PERSON appearances, unless the parties obtain an order permitting remote appearance.

REQUESTS TO INVOKE RULES IN SMALL CLAIMS CASES

Judge Cawthon requires a uniform order for this purpose to be submitted via the e-order system. Proposed orders submitted not in compliance with this uniform order will not be entered. The required form is included in these instructions. Please remember that the invocation of rules is discretionary with the Court. Do not assume that the rules have been invoked unless you have a signed order from Judge Cawthon. Additionally, please note that submission of a motion to invoke the rules does **not** excuse appearance at the Pretrial Conference unless the Court has actually entered the order.

PROCEDURE I: SETTING CASE FOR TRIAL - DIVISION 61 ONLY

NOTICES FOR TRIAL

When filing a notice of readiness for trial, you must file the original with the Clerk of Court and email, mail, or deliver a copy of the notice with stamped, self-addressed envelopes for all parties to the Judicial Assistant. Please inform the Court of the amount of time needed for trial in the notice. Upon receipt of the notice, the case may be referred to mediation and the parties will receive an order setting pretrial deadlines and procedures.

PROCEDURE J: DIVISION FORMS - DIVISION 61 ONLY

(SEE ATTACHED FORM ORDERS)

MOTIONS TO COMPEL DISCOVERY

If Local Rule 11 is triggered, please use the standard order attached to these instructions for entry of an order on the Motion. Do not add any additional language to the Order (e.g. waiver of privilege, etc.).

PROCEDURE K: OTHER DIVISION PROCEDURES - DIVISION 61 ONLY

REQUESTS TO WITHDRAW/FOR SUBSTITUTION OF COUNSEL

When filing a Motion to Withdraw as Counsel of Record, you are required to include the client's contact information, including address and email address, if any, within the text of the Motion and any proposed order on same. You are also required to serve a copy of the Motion and Notice of Hearing of same on your client.

If your client consents to the withdrawal, you do not need to set your Motion for hearing. Instead, please file a consent to withdraw signed by the client and send adequate copies of the proposed order with self-addressed, stamped envelopes to the Judge for entry.

Stipulations for substitution of counsel shall be signed by both the former attorney and the new attorney taking over the case, as well as the client. The Court will not grant a substitution of counsel unless the client's written consent is obtained and filed with the Court.

MOTIONS FOR CONTINUANCE

You must contact opposing counsel to determine if they have an objection prior to filing a Motion for Continuance. The Motion must be filed with the Clerk of Court, and a copy with a proposed order, sufficient copies to conform and self-addressed, stamped envelopes must be delivered to the Judge. If the continuance is agreed to by all of the parties, please submit an Agreed Order to the Judge. If the opposing party objects to the continuance, then it will be necessary to set a hearing on the Motion. The Court will not automatically accept a joint or agreed to Motion for Continuance of a Pretrial Conference, Calendar Call, or Trial. Rather, the Court will evaluate each motion on a case by case basis.

INTERPRETERS FOR COUNTY CIVIL CASES

The Court does not provide interpreters for county civil cases. It is the responsibility of the party needing an interpreter to bring to court an interpreter who is certified, language skilled, provisionally approved, or who is registered with the Office of State Court Administrator as required by Rule 2.560 and Rule 2.565 of the Florida Rules of Judicial Administration. Persons unable to obtain a certified interpreter must bring someone to assist in understanding the proceedings. The Court will determine if they are qualified to interpret the proceedings.

IN THE COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA

_____,
Plaintiff,

Case No.

vs.

_____,
Defendant(s).

WAIVER OF APPEARANCE AT PRETRIAL CONFERENCE AND ORDER

The parties hereby agree to invoke the RULES OF CIVIL PROCEDURE and to waive procedures under the SMALL CLAIMS RULES and further agree to waive their appearance at the pretrial hearing.

Signature - Attorney for Plaintiff
Print Name: _____
Address: _____

Signature - Attorney for Defendant
Print Name: _____
Address: _____

Office Tel. No.: _____
Email: _____
Florida Bar No.: _____

Office Tel. No.: _____
Email: _____
Florida Bar No.: _____

ORDER INVOKING RULES OF CIVIL PROCEDURE

This cause came to be considered on the Plaintiff and Defendant's agreement to waive the procedures under the Small Claims Rules and invoke the Rules of Civil Procedure. It is therefore

ORDERED AND ADJUDGED THAT:

1. The Florida Rules of Civil Procedure are hereby invoked, except as may be provided hereinafter below.
2. The Defendant shall have 20 days from the date of this Order to file a response to Plaintiff's Complaint or shall suffer default without further notice or hearing.
3. If this case is proceeding in Division 61, then pursuant to Rule 7.020(c), Rule 1.440 is not invoked and Rules 7.135 and 7.150 are reserved and prevail over Rule 1.430.

DONE AND ORDERED in Hollywood, Broward County, Florida, on this ____ day of _____, 20__.

COUNTY COURT JUDGE

Copies to:

IN THE COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY, FLORIDA

_____,
Plaintiff,

Case No.

vs.

_____,
Defendant(s).

ORDER GRANTING PLAINTIFF'S/DEFENDANT'S
MOTION TO COMPEL DISCOVERY

THIS CAUSE came before the Court for consideration of the Plaintiff's/Defendant's Motion to Compel [*insert discovery sought*], and the Court having reviewed the Motion, having considered Local Rule 11, and having been sufficiently advised in the premises, the Court finds as follows:

The moving party has alleged a complete failure of the opposing party to respond or object to discovery, and has further alleged that the opposing party has not requested an extension of time. Pursuant to Local Rule 11, it is hereby

ORDERED that the Motion is GRANTED. The Plaintiff/Defendant shall comply with the original discovery demand within ten (10) days of the entry of this Order, failing which sanctions may be imposed.

DONE AND ORDERED this ____ day of _____, 20__ in Hollywood, Broward County, Florida.

COUNTY COURT JUDGE

Copies furnished to:

