

**IN THE CIRCUIT COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT
IN AND FOR FLAGLER, PUTNAM, ST. JOHNS AND VOLUSIA COUNTIES**

RE: CASE MANAGEMENT OF CIVIL CASES

REF: CV-2021-023-SC

WHEREAS, the Supreme Court of Florida has directed chief judges to issue administrative orders related to the active management of civil cases;

NOW THEREFORE, I, RAUL A. ZAMBRANO, Chief Judge of the Seventh Judicial Circuit of Florida, hereby order as follows:

1. Each judge presiding over civil cases¹ is to strictly comply with Rule 2.545, Fla. R. Gen. Prac. & Jud. Admin. Specifically, he/she must manage his/her docket in such a manner so as to (a) conclude litigation as soon as it is reasonably and justly possible to do so, (b) take charge of cases at an early stage and control the progress of the case thereafter until it is determined, and (c) apply a firm continuance policy allowing continuances only for good cause.
2. All civil cases will initially receive a presumptive designation of (a) “General,” cases in which a trial by jury is demanded, or (b) “Streamlined,” all other cases. Cases subsequently designated as “Complex” under Rule 1.201, Fla. R. Civ. P., are exempted from the requirements of this Order and will proceed in accordance with the Rule.
3. For “General” and “Streamlined” cases filed on or before April 30, 2021, the plaintiff is required to serve the case management order (a copy of which is attached hereto as Exhibit A) on all other parties and file a notice of service with the Clerk within thirty (30) days of the date of its issuance, except as hereinafter provided.
4. For “General” and “Streamlined” cases filed after April 30, 2021, the plaintiff is required to serve the case management order (a copy of which is attached hereto as Exhibit A) on all other parties together with service of process or in the manner prescribed in Fla. R. Civ. P. 1.080.
5. Judges presiding over civil cases are to review each case to determine whether there is sufficient cause to depart from the presumptive case designation as identified herein.
6. In reviewing each case, the presiding judge should consider the number of parties, the complexity of issues relating to liability and damages, the number of anticipated pretrial motions, the extensiveness of anticipated discovery, the number of witnesses, the amount of documentary evidence, the anticipated length of trial, as well as any other factor deemed relevant by the presiding judge.

¹ As applicable to this Order, the term “civil cases” shall be construed consistently with the term’s definition in *In re: Comprehensive COVID-19 Emergency Measures for Florida Trial Courts*, Fla. Admin. Order No. 20-23, Amendment 12, fn. 13 (April 13, 2021)

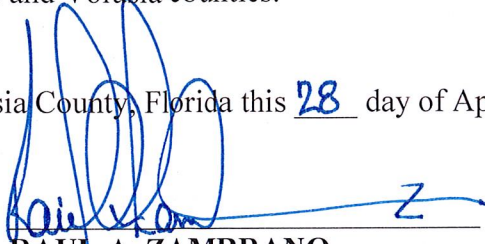
7. Case management orders issued in “General” and “Streamlined” cases must establish deadlines for the following actions or events to occur no later than the maximum allowable time periods indicated below:

Action or Event	General	Streamlined
Service of complaint	Later of 120 days from filing or issuance of CMO	Later of 120 days from filing or issuance of CMO
Service under extensions	Later of 210 days from filing or issuance of CMO	Later of 210 days from filing or issuance of CMO
Adding new parties	Later of 90 days from filing or issuance of CMO	Later of 90 days from filing or issuance of CMO
Objections to pleadings	20 days from service	20 days from service
Disclosure of expert witnesses	75 days before docket sounding for parties seeking affirmative relief; 60 days before docket sounding for parties not seeking affirmative relief	75 days before docket sounding for parties seeking affirmative relief; 60 days before docket sounding for parties not seeking affirmative relief
Disclosure of fact witnesses	60 days before docket sounding	60 days before docket sounding
Service of written discovery requests	45 days before docket sounding	45 days before docket sounding
All other discovery to be completed	10 days before docket sounding	10 days before docket sounding
Pretrial motions to be filed	30 days before trial	30 days before trial
Mediation completed and report filed	Prior to docket sounding	Prior to docket sounding
Projected docket sounding and trial date	18 months from filing	12 months from filing

8. In the event of a conflicting deadline between a case management order and a trial order, the deadline established in the trial order controls.
9. Upon the filing of a motion establishing good cause and approval by the presiding judge, any case may be re-designated. Any motion for re-designation must be filed no later than 60 days after service of the complaint upon the last of all named defendants.
10. A case management order is not required for any civil case in which a trial order has been issued that substantially incorporates the Seventh Judicial Circuit’s Uniform Pretrial Procedures in Civil Actions.
11. A case management order is not required for any civil case that is subject to dismissal for lack of prosecution. If the case is not dismissed, a case management order is to be issued within 30 days after such determination.
12. A case management order is not required for any civil case that is subject to a statutory stay or moratorium. A case management order is to be entered within 45 days of the lifting of the stay or moratorium or within 30 days of service of the complaint on the last of all named defendants, whichever date is later.
13. Failure to comply with the terms of a case management order may result in sanctions against the offending party.

TO BE RECORDED in Flagler, Putnam, St. Johns and Volusia counties.

DONE AND ORDERED in Daytona Beach, Volusia County, Florida this 28 day of April 2021.



RAUL A. ZAMBRANO
CHIEF JUDGE

IN THE CIRCUIT/COUNTY COURT OF FLORIDA, SEVENTH JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

CASE MANAGEMENT ORDER

IMPORTANT- This Order contains important deadlines that must be complied with or sanctions may result.

This Case Management Order is issued in accordance with Administrative Orders of the Florida Supreme Court and Seventh Judicial Circuit Court.

A. CASE DESIGNATION

Civil cases in which trials by jury are demanded are designated as “General”. All other civil cases are designated as “Streamlined”. Cases subsequently designated as “Complex” pursuant to Rule 1.201, Fla. R. Civ. P., are exempted from the requirements of this Order and will follow the procedures outlined in the Rule.

B. PROJECTED TRIAL DATE

For “General” cases the *projected* docket sounding and trial dates will be eighteen (18) months from case filing, or twelve (12) months from the date of this Order, whichever date is later. For “Streamlined” cases, the *projected* docket sounding and trial dates will be twelve (12) months from case filing, or six (6) months from the date of this Order, whichever date is later. The parties are expected to be ready to try this case by this deadline.

C. SERVICE OF PROCESS

Plaintiff(s) are required to serve each defendant with initial process no later than 120 days from case filing or sixty (60) days from the date this Order is issued, whichever date is later. Motions for extension of time to complete service of process must be filed no later than ten (10) days prior to expiration of the initial time period for service. In its discretion, the presiding judge may grant plaintiff(s) an additional ninety (90) days to serve any remaining defendant(s). After the expiration of the time for service, including any extensions, any unserved defendant(s) will be dropped from the action, or the case will be dismissed without prejudice, as appropriate.

D. ADDING NEW PARTIES

The deadline for adding new parties to an action is ninety (90) days after the completion of service of process on the initial defendants or sixty (60) days from the date this Order is issued, whichever date is later.

E. OBJECTIONS TO PLEADINGS

Objections to pleadings must be filed no later than twenty (20) days from the date the pleading is served upon the objecting party. Any objection not timely scheduled for hearing may be deemed waived or abandoned.

F. COMPLETION OF DISCOVERY

All discovery is to be completed according to the following schedule:

Action or Event	General	Streamlined
Disclosure of expert witnesses	75 days before docket sounding for parties seeking affirmative relief; 60 days before docket sounding for parties not seeking affirmative relief	75 days before docket sounding for parties seeking affirmative relief; 60 days before docket sounding for parties not seeking affirmative relief
Disclosure of fact witnesses	60 days before docket sounding	60 days before docket sounding
Service of written discovery requests	45 days before docket sounding	45 days before docket sounding
All other discovery to be completed	10 days before docket sounding	10 days before docket sounding

G. PRETRIAL MOTIONS

All pretrial motions must be filed no later than thirty (30) days prior to the trial date. Pretrial motions filed within thirty (30) days of trial will not be considered if predicated on matters the movant knew, or should have known with the exercise of reasonable diligence, at least thirty (30) days prior to the trial date. Because of busy court calendars, hearing time may not be available to consider motions filed close to the deadline. The inability of a party to obtain hearing time will generally not constitute grounds for a continuance of the trial.

H. MEDIATION

Unless excused by the Court, or excluded pursuant to Rule 1.710(b), Fla. R. Civ. P., mediation is to be conducted in all cases. Mediation must be concluded and a report filed prior to docket sounding.

I. SERVICE OF THIS ORDER

- For cases filed on or before April 30, 2021, plaintiff is required to serve a copy of this Order on all other parties and file a notice of service with the Clerk within 30 days of the date of its issuance.
- For cases filed after April 30, 2021, plaintiff is required to serve a copy of this Order on all other parties together with service of process, or in the manner prescribed in Fla. R. Civ. P. 1.080.

J. EXTENSIONS AND CONTINUANCES

The Court hereby adopts a firm continuance policy in this matter and will only extend deadlines set forth in this Order upon a showing of good cause.

K. SANCTIONS

Failure to comply with the terms of this Order may result in sanctions against the offending party.