

Procedures for Orders Submitted to Chambers – Division 37
(revised 11/23/2021)

All Submitted Orders:

E-filed cover letter: All proposed orders must be accompanied by an **e-filed** cover letter (the cover letter must have the filing stamp across the top) and must indicate that opposing counsel has reviewed and approved the form of the order when submitting to the Court for review. The cover letter (but not the proposed order) must be e-filed by the attorney with the Clerk and is required on all cases, even after a hearing, to document in the court file why the order was received by the Court. Please note that “e-portal” does not provide for the uploading of proposed orders to the Court for filing. **Your cover letter must include the position of opposing counsel or pro se party as to the form of the Order(s), including attempts made to obtain their position if you receive no response or state in the letter the opposing party is in default, failed to appear for the hearing or has not be served.** Please note that these procedures will be required on each and every order you submit to the Court for consideration and signature.

Agreed/Unopposed Orders: If “agreed or unopposed orders” are provided, the title must indicate the substance of the proposed order in addition to the indication that it is an “agreed or unopposed order.” Please do not include the word “proposed” in the title. If counsel are asked to prepare an order, the order should be drafted and circulated within three (3) working days and must be submitted to the Court within seven (7) days of the hearing, with a copy to opposing counsel. All Orders must describe, in the caption, the subject and ruling of the court, *i.e.* “*Order Granting Plaintiff’s Motion for Partial Summary Judgment on Liability.*” *See* Fla.R.Civ.P. 1.100(c)(2). **Counsel must advise the Court in the e-filed cover letter, of any objection to, or agreement on, the form of the proposed order when the order is submitted.** All parties must be copied on all email submissions. If the parties are unable to agree on the form of the order, both sides shall email their proposed order in Word to the Court for consideration within the seven (7) days with an e-filed cover letter.

Certificate of Service: Please be sure that the certificate of service on the proposed Order complies with the Rules of Civil Procedure. If there are parties not receiving service through the Florida Courts e-filing Portal, the proposed order should state that counsel will serve a copy of the order via U.S. mail to the non-e-file parties and file a certificate of service in the court file no later than three days from the date of the order.

Other useful information: The Court does not hold orders waiting for approval or objection. Please do not send proposed Orders to the Court until you have approval as to the form by opposing counsel.

Proposed Orders where all parties receive e-service: In addition to the above if all parties receive service through the statewide ePortal, the proposed Order(s) in **Word format**, (not PDF), along with a copy of the e-filed cover letter, may be emailed to 37orange@ninthcircuit.org.

Proposed Orders where some parties receive service by U.S. Mail: In addition to the above if any party receives service by U.S. Mail and are not receiving service through the Florida Courts e-filing Portal, then the proposed Order(s) may be emailed to 37orange@ninthcircuit.org and should state counsel submitting the proposed Order(s) will serve a copy of the order via U.S. mail to the non-e-file parties and file a certificate of service in the court file no later than three days from the date of the order.

The Judicial Assistant will e-file the Order but if there is a party on the case that is not on Florida Courts e-filing Portal, then counsel submitting the proposed Order(s) will serve a copy of the Order via U.S. mail (do not send copies of the proposed Order(s) accompanied by self-addressed stamped envelopes to the judge's chambers).

Processing of submitted orders: Orders are processed as the Judge has time out of Court. If the Judge is out of the office, the Order(s) will be processed upon return in the order they were received. Additionally, there may be a delay if the JA is out of the office. If you want to know if a specific Order has been signed by the Judge, you should first check your e-service email as the Order may have been e-served. If not received by email, then check the Clerk's system to see if it has been docketed before contacting the Judicial Assistant as she may not be able to track the signing of a specific Order due to the volume of Orders received by the Court.