

Florida Rules of Civil Procedure 1.202

CONFERRAL PRIOR TO FILING MOTIONS

(a) Duty. Before filing a non-dispositive motion, the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion.

(b) Certificate of Conferral. At the end of the motion and above the signature block, the movant must include a certificate of conferral in substantially the following form:

"I certify that prior to filing this motion, I discussed the relief requested in this motion by [method of communication and date] with the opposing party and [the opposing party (agrees or disagrees) on the resolution of all or part of the motion] OR [the opposing party did not respond (describing with particularity all of the efforts undertaken to accomplish dialogue with the opposing party prior to filing the motion)]."

OR

"I certify that conferral prior to filing is not required under rule 1.202."

(c) Applicability; Exemptions. The requirements of this rule do not apply when the movant or the nonmovant is unrepresented by counsel (pro se). Conferral is not required prior to filing the following motions:

- (1) for time to extend service of initial process;
- (2) for default;
- (3) for injunctive relief;
- (4) for judgment on the pleadings;
- (5) for summary judgment;
- (6) to dismiss for failure to state a claim on which relief can be granted;
- (7) to permit maintenance of a class action;
- (8) to involuntarily dismiss an action;
- (9) to dismiss for failure to prosecute;
- (10) for directed verdict and motions filed under rule 1.530;
- (11) for garnishment, attachment, or other motions for enforcement of a judgment under rule 1.570;
- (12) for writ of possession under rule 1.580;
- (13) filed in actions proceeding under section 51.011, Florida Statutes; and
- (14) that do not require notice to the other party under statute or rule.

(d) Sanctions. Failure to comply with the requirements of this rule may result in an appropriate sanction, including denial of a motion without prejudice. The purposeful evasion of communication under this rule may result in an appropriate sanction.