

PRE-TRIAL CHECKLIST and ORDER CONTROLLING TRIAL
(Orange Division 33 – JOHN D.W. BEAMER)
(Pursuant to Fla. R. Civ. P. 1.200 (d))

CASE #: _____ P/T DATE: _____

CASE STYLE: _____

Estimate Length of Trial _____ days

Jury Trial: ☐ Yes ☐ No

Attorney(s) for Plaintiff(s)

_____ for _____ (1)

_____ for _____ (2)

Attorney(s) Defendant(s)

_____ for _____ (1)

_____ for _____ (2)

_____ for _____ (3)

_____ for _____ (4)

1. Who will order the **Court Reporter** (if any?) _____ Will the cost be shared/not shared?
(circle one)

2. Is an **Interpreter** needed? ☐ Yes ☐ No If yes, will the cost be shared/not shared? (circle one)

3. When was the **Joint PT Statement** filed? If not yet filed, it will be filed by:

4. Has the **Joint Meeting of Counsel** been completed? ☐ Yes ☐ No If no, when is it scheduled?

5. Has Plaintiff (#1) filed the **Witness List?** ☐ Yes ☐ No **Exhibit List?** ☐ Yes ☐ No **Expert Witness List?** ☐ Yes ☐ No
PT Statement? ☐ Yes ☐ No **Depo Designations / Counter Designations** (case in chief) ☐ Yes ☐ No

6. Has Plaintiff (#2) filed the **Witness List?** ☐ Yes ☐ No **Exhibit List?** ☐ Yes ☐ No **Expert Witness List?** ☐ Yes ☐ No
PT Statement? ☐ Yes ☐ No **Depo Designations / Counter Designations** (case in chief) ☐ Yes ☐ No

7. Has Defendant (#1) filed the **Witness List?** ☐ Yes ☐ No **Exhibit List?** ☐ Yes ☐ No **Expert Witness List?**
☐ Yes ☐ No

PT Statement? ☐ Yes ☐ No **Depo Designations / Counter Designations** (case in chief) ☐ Yes ☐ No

8. Has Defendant (#2) filed the **Witness List?** ☐ Yes ☐ No **Exhibit List?** ☐ Yes ☐ No **Expert Witness List?** ☐ Yes
☐ No

PT Statement? ☐ Yes ☐ No **Depo Designations / Counter Designations** (case in chief) ☐ Yes ☐ No

9. Has Defendant (#3) filed the **Witness List?** ☐Yes ☐No **Exhibit List?** ☐Yes ☐No **Expert Witness List?** ☐Yes ☐No

PT Statement? ☐Yes ☐No **Depo Designations / Counter Designations** (*case in chief*) ☐Yes ☐No

10. Has Defendant (#4) filed the **Witness List?** ☐Yes ☐No **Exhibit List?** ☐Yes ☐No **Expert Witness List?** ☐Yes ☐No

PT Statement? ☐Yes ☐No **Depo Designations / Counter Designations** (*case in chief*) ☐Yes ☐No

11. **Exhibits and Demonstrative Aids:** All exhibits and demonstrative aids (including Power Point Presentations and Trial Exhibits) must be exchanged, initialed by counsel for all parties, and tagged and marked for identification **PRIOR** to the first day of trial. Any objections must be separately noted and brought to the attention of the Court. Demonstrative aids may **NOT** be used during Opening Statement without agreement or **prior** (*before the first day of trial!*) court order. Please contact Records Management – Room 150 in the Orange County Courthouse for information regarding evidence tags and instructions.

12. **Mediation:** Has Mediation been held? ☐ Yes ☐ No When held or scheduled? _____

Is settlement still a possibility? ☐Yes ☐No ☐Maybe

13. **Deposition Designations and Cross Designations:** Must be disclosed in writing (*citing page and line #'s*)

- By the party offering the testimony: **30 days** prior to Pre-Trial Conference.
- Cross designations are due: **20 days** prior to the Pre-Trial Conference
- Objections to portions of depositions must be ruled on **PRIOR TO TRIAL** – Submit the deposition together with a chart identifying the page and line number, the objection, and leaving a place for the court to rule in chambers

14. **Stipulations – Admissions – Waivers of Custodians:** Must be in writing if seeking Court enforcement

15. **Motions in Limine:** Filed prior to this pre-trial conference? ☐ Yes ☐ No - ☐ **None**

Must be scheduled and heard no later than **one week prior** to the beginning of the trial period. You must comply with Division 33's Standing Order on Motions in Limine, found at www.ninthcircuit.org

16. **Trial Briefs** are not required, but if you choose to submit them, please provide a digital copy (case citations should be linked) either via USB flash delivered to the Court or via email to 33orange@ninthcircuit.org at least **five (5) business days** prior to trial to allow adequate time for review.

17. **Judicial Notice:** Please follow the Evidence Code, Section 90.201-90.207, Florida Statutes

18. **Witness Disclosure:** Parties will be expected to disclose the next day's witnesses at the end of each day

19. **Expert Opinions:** Are not admissible if not expressed in deposition or in an expert report (*unless no report was created and/or no deposition was taken*)

20. **Audio/video equipment for trial** – if you intend to use any, please contact the Ninth Circuit’s Technology Support department at <http://www.ninthcircuit.org/services/technology-support> or call 407-836-0522 before the day of trial. **Do not wait until trial to test equipment.**

21. Time Estimates:	<i>Voir Dire:</i>	<i>Opening Statement:</i>	<i>Closing Argument</i> <i>(to include rebuttal)</i>
Plaintiff (1)	_____ min/hr	_____ min/hr	_____ min/hr
Plaintiff (2)	_____ min/hr	_____ min/hr	_____ min/hr
Def (1)	_____ min/hr	_____ min/hr	_____ min/hr
Def (2)	_____ min/hr	_____ min/hr	_____ min/hr
Def (3)	_____ min/hr	_____ min/hr	_____ min/hr
Def (4)	_____ min/hr	_____ min/hr	_____ min/hr

22. When is the **Rule of Sequestration** invoked? ☐ Before *voir dire* ☐ Before opening ☐ Not invoked

23. **Jury Instructions and Verdict Forms** - File the originals with the Clerk and provide a copy in **MS Word** (*in Times New Roman font – 14 pt. double spaced*) - to the Judge – either via USB flash delivered to the Court or via email to the JA at 33orange@ninthcircuit.org

- Submitted/received no later than 3 business days **prior** to the first day of trial
- Early Substantive Jury Instructions, including the law, to be given prior to opening statements?
- Final Jury Instructions will be given before closing argument.
- Jurors will be permitted to take notes and ask questions of witnesses (*See F.S. 40.50 and Rule 1.452*)

24. **Venire** – Number requested? _____ Number of alternates requested? _____
Peremptory Challenges for Plaintiff _____ for Defendant _____

25. Please be familiar with Judge Beamer’s **Guidelines, Procedures and Expectations for Division 33** and the **Amended Ninth Judicial Circuit Courtroom Decorum Policy**, both of which can be found on www.ninthcircuit.org

26. Are there any **Pending Motions, Special Provisions or Concerns**?

I have read and acknowledge the foregoing. I understand that I must notify the Court immediately upon settlement of the case.

Attorney Signature(s)

_____ for _____
_____ for _____
_____ for _____
_____ for _____
_____ for _____
_____ for _____

DO NOT WRITE BELOW THIS LINE – FOR COURT USE ONLY

Venire Request: _____ - Number of Alternates: _____

Tentative date set for trial: _____ #_____ You are on Standby for an earlier call: Check with Counsel ahead of you on the trial list or contact the JA at 33orange@ninthcircuit.org All trial dates (unless otherwise noted on the trial order) start at 9:30 a.m. in Courtroom 19-B in the Orange County Courthouse.

DONE AND ORDERED this _____ day of _____, 20____.

JOHN D.W BEAMER
Circuit Judge

(Revised 4/19/24)