

**No New Case Filings Accepted After 3:30 PM**

**DECLARATORY JUDGMENT  
PACKET**

**Santa Rosa County  
Courthouse**

**Physical Address:  
4025 Avalon Blvd.  
Milton, Fl. 32583**

**Mailing Address:  
Santa Rosa County Clerk of Courts  
Attention: County Civil  
P.O. Box 472  
Milton, Fl. 32572**

**If you have any questions, you may call  
us.  
at 850-981-5665**

**Price \$ 8.00**

## OBTAINING VEHICLES TITLES VIA DECLARATORY JUDGMENT

### \*\*\*\*\*NOTICE\*\*\*\*\*

This package is designed to help people seeking to represent themselves in court without the assistance of an attorney. It is not intended as a one size fits all packet. It may be necessary for you to seek the advice of a qualified attorney to fully understand or protect your rights.

One resource available is:

Escambia-Santa Rosa Bar Association Lawyer Referral

Address: 216 S. Tarragona St., Pensacola, Fl. 32502

Phone: (850) 434-8135

Hours: 8:00 am-4:00 pm

**It is meant to serve as a guide only.**

We **do not** guarantee that either the instructions or the forms will achieve the result desired by the parties or ensure that any individual judge will follow the procedure exactly or accept every form drafted.

**Any person using these instructions and forms does so at his or her own risk.**

**Please note that Florida law prevents our staff from providing legal advice.**

FILING FEE: \$300.00 for property valued under \$ 15,000.00 - filed in county court.

\$ 400.00 for property valued over \$15, 000.00, but less than \$50,000.00 - filed in county court.

\$ 400.00 for property valued \$50, 0000 - filed in circuit court.

Payable by cash/ cashier's check/ money order/ credit card (MasterCard, Visa, American Express, Discover)

(A service charge of 3.5% will be added when using credit card)

There is also a \$10.00 charge for documents that must be notarized at the clerk's office.

It is possible to obtain a declaratory judgment to assist you in obtaining a title for a vehicle you own, but for which you did not receive a title at the time of purchase. This can sometimes prove to be a lengthy and complex process. Obtaining this type of court order is not a one size fits all process. The Court may issue an Order or Declaratory Judgment directing the Department of Highway Safety and Motor Vehicles to issue a certificate of title for your vehicle.

Before the Court will consider issuing such an order or Declaratory judgment, you must take the following steps:

- 1) You must make a diligent search to locate the former owner to transfer title.
- 2) You must provide a bill of sale, cancelled check, letter, memorandum, or some means of establishing your rights to ownership of the vehicle.
- 3) If the former owner has moved from the area without leaving a forwarding address you should mail a certified, return receipt requested letter demanding title to the vehicle to the former owner's last known address.
- 4) You must get a print a form provided by the tag office which lists the last title number issued to this vehicle, to whom the title was issued and that there are no liens against the vehicle.
- 5) You must get a Motor Vehicle Identification Number Inspection Sheet from your county Sheriff's office, establishing that the vehicle has not been reported as stolen as per the Vehicle Identification Number (VIN).
- 6) You will be required to complete an affidavit for Vehicle Title Application and an Affidavit of Diligent Search and Inquiry. These forms are in the packet. **Both documents must be notarized.**
- 7) You must file the completed paperwork with the clerk of the circuit court. A filing fee is required.
- 8) Once the paperwork is filed, the case will be reviewed by Court staff and forwarded to the Judge for consideration.
- 9) If the Judge signs an order and/or a declaratory judgment, and a copy will be emailed or sent via regular mail to you by the Judiciary staff.
- 10) A party not represented by an attorney is required to provide an email address for the service of court documents, unless the party is in custody or unless the party is excused by the Clerk because the party declares under penalty of perjury that they do not have an email address or do not have regular access to the internet. These forms are in the latter part of the packet. Select the form appropriate for you to receive documents from the court.
- 11) For further information contact the Clerk of Court office at 850-981-5665

**If you have legal questions, please consult with an attorney or legal aid.**

**IN THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR SANTA COUNTY**

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
Petitioner

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Daytime Phone Number  
vs.

\_\_\_\_\_  
Respondent

\_\_\_\_\_  
Last Known Address of person holding title

**COMPLAINT FOR DECLARATORY JUDGMENT AND RELIEF**

Plaintiff, \_\_\_\_\_, files this complaint,  
under penalty of perjury, seeking a declaratory judgment and other relief pursuant to Sections 86  
and 319, Florida Statutes, and alleges as follows:

1. This is an action requesting declaratory judgment and other relief involving the acquisition of  
a clear title for a

\_\_\_\_\_  
\_\_\_\_\_  
and is located in Santa Rosa County , Florida at the following address:

\_\_\_\_\_  
\_\_\_\_\_  
2. The Plaintiff is a resident of \_\_\_\_\_ County, Florida, and owner of  
\_\_\_\_\_, purchased and paid for in \_\_\_\_\_  
County, \_\_\_\_\_.

3. Defendant(s) \_\_\_\_\_  
whose last known address is \_\_\_\_\_

and is the person who must be sued because they are the last known owners of said property described in this action. Co-defendant, State of Florida Department of Highway Safety and Motor Vehicles, is an agency of the State of Florida with duly constituted, statutory authority for the issuance of license, tags, identification numbers, plates, and certificates of titles for vehicles, mobile homes, camper trailers, etc.

4. On or about \_\_\_\_\_, Plaintiff obtained the property from \_\_\_\_\_ by purchasing said property for the amount of \$ \_\_\_\_\_ { Attached bill of sale and/or other documents establishing ownership }

If the plaintiff did not purchase said property, please describe the transaction in which Plaintiff gained ownership in said property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

{ attach a separate sheet of paper if additional information is needed }

5. This Court has jurisdiction in this matter.

6. On \_\_\_\_\_, the Plaintiff paid and purchased for the sum of \$ \_\_\_\_\_.

7. The VIN# is \_\_\_\_\_.

8. Plaintiff intends to use said property for the purpose of:  
\_\_\_\_\_

9. Plaintiff has contacted the State of Florida Department of Highway Safety and Motor Vehicles and was informed that a court of competent jurisdiction must determine ownership.  
{ attach a copy of the letter }

10. Plaintiff has taken certain steps to acquire a valid certificate of title:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

{ attach a separate sheet of paper if additional information is needed }

11. Plaintiff will be unable to sell the above-described property without a valid certificate of title.

12. The Plaintiff has no alternative but to seek the intervention of this Court and request

that this Court grant him relief in the matter.

13. Plaintiff understand that if the court awards ownership to said property, the Plaintiff will be responsible for making application for and paying for all fees in connections with the said application to the State of Florida Department of Highway Safety and Motor Vehicles and/or any fees applicable in the Plaintiff's local tag office.

WHEREFORE, Plaintiff petitions this Honorable Court for the entry of a Declaratory Judgment declaring Plaintiff to be the true, sole owners of the subject property described in this complaint and directs the State of Florida Department of Highway Safety and Motor Vehicles to transfer said ownership to the Plaintiff's name as listed above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Plaintiff's name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone number

\_\_\_\_\_  
Email

STATE OF FLORIDA  
COUNTY OF SANTA ROSA Sworn to or  
Affirmed and signed before me on

\_\_\_\_\_ by \_\_\_\_\_  
{Date} {Name of Affiant}

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

Print, Stamp or Stamp Commissioned Name of Notary Public

Personally known \_\_\_\_\_

Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

## AFFIDAVIT VEHICLE TITLE APPLICATION

### AFFIANT

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

### VEHICLE INFORMATION

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Body: \_\_\_\_\_

Vehicle Title Number: \_\_\_\_\_ State of Issuance: \_\_\_\_\_

Vehicle Identification Number (VIN): \_\_\_\_\_

Purchase Price: \_\_\_\_\_ Dollar Value: \_\_\_\_\_

Date of Purchase: \_\_\_\_\_

Do you owe any money on this vehicle? \_\_\_\_ yes \_\_\_\_ no

**\* I have attached a letter from my county Sheriff's office, dated not more than 30 days from today's date, confirming that this vehicle has not been reported stolen. \***

### PREVIOUS OWNER INFORMATION

I have purchased this vehicle from: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

I did not receive the title at the time of purchase because:

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I cannot receive the title at this time because:

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I have conducted a diligent search in accordance with the attached Affidavit of Diligent Search.

STATE OF FLORIDA

COUNTY OF SANTA ROSA Sworn to or

Affirmed and signed before me on

\_\_\_\_\_ by \_\_\_\_\_

{Date} {Name of Affiant}

\_\_\_\_\_  
{Signature of Affiant}

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

Print, Stamp or Stamp Commissioned Name of Notary Public

Personally known \_\_\_\_\_

Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



**IN THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR SANTA COUNTY**

**AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY**

I, {insert full legal name} \_\_\_\_\_, certify that the following information is true:

1. I have made diligent search and inquiry to discover the current residence of

{insert the respondent(s) full legal name} \_\_\_\_\_.

Specify details of search. Identify all actions taken (any additional information included such as the date of the action taken and the person with whom you spoke is helpful; attach additional sheet if necessary):

[check all that apply]

\_\_\_\_\_ Inquiry of Social Security Information

\_\_\_\_\_ United States Post Office inquiry through Freedom of Information Act, current address or relocation

\_\_\_\_\_ Telephone listings in the last known locations of defendant's residence

\_\_\_\_\_ Statewide directory assistance search

\_\_\_\_\_ Internet people finder search {specify sites searched}

\_\_\_\_\_ Voter registration in the area where defendant was last known to reside

\_\_\_\_\_ Nationwide Masterfile Death Search

\_\_\_\_\_ Information about prior owners' possible death, and if deceased, the date, and location of the death \_\_\_\_\_

\_\_\_\_\_ Tax Collector's records in area where defendant was last known to reside

\_\_\_\_\_ Property Appraiser's records in area where defendant was last known to reside

\_\_\_\_\_ Department of Motor Vehicle records in state of defendant's last known address

- \_\_\_\_\_ Driver's License records search in the state of defendant's last known address
- \_\_\_\_\_ Highway Patrol records in the state of prior owners' last known address
- \_\_\_\_\_ Department of Corrections records in state of defendant's last known address
- \_\_\_\_\_ Law enforcement arrest and/or criminal record search in the last known residential area of prior owner
- \_\_\_\_\_ Federal Prison records search
- \_\_\_\_\_ Regulatory agencies for professional or occupation licensing
- \_\_\_\_\_ Inquiry to determine if defendant is in military service
- \_\_\_\_\_ Last known employment of defendant, including name and address of employer:
- \_\_\_\_\_
- \_\_\_\_\_ The age of prior owner is known {insert age} \_\_\_\_\_ or unknown \_\_\_\_\_
- \_\_\_\_\_ Prior owner's current residence {check only one}
- \_\_\_\_\_ Prior owner's current residence is unknown to me.
- \_\_\_\_\_ Prior owner's current residence is in a state or country other than Florida, prior owners last known address is \_\_\_\_\_
- \_\_\_\_\_ Name and address of relatives and contacts with those relatives, and inquiry as to prior owner's last known address. (You are to follow any leads limited to parents, siblings, aunts, uncles, cousins, nieces, nephews, grandparents, great-grandparent, form in-laws, stepparents, stepchildren
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

{List all additional efforts made to locate defendant}

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Other (explain): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.**

Dated: \_\_\_\_\_

Signature of Affiant

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF SANTA ROSA Sworn to or  
Affirmed and signed before me on

\_\_\_\_\_ by \_\_\_\_\_  
{Date} {Name of Affiant}

\_\_\_\_\_  
{Signature of Affiant}

\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE

Print, Stamp or Stamp Commissioned Name of Notary Public

Personally known \_\_\_\_\_

Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

Notice: Additional Requirement

Service of Pleadings and Documents

A party not represented by an attorney is required to provide an email address for the service of court documents, unless the party is in custody or unless the party is excused by the Clerk because the party declares under penalty of perjury that they do not have an email address or do not have regular access to the internet.

**RULE 2.516. SERVICE OF PLEADINGS AND DOCUMENTS**

(C) Service on and by Parties Not Represented by an Attorney. Unless excused pursuant to subdivision (b)(1)(D), any party not represented by an attorney must serve a designation of a primary e-mail address and also may designate no more than two secondary e-mail addresses to which service must be directed in that proceeding by the means provided in subdivision (b)(1) of this rule. November 17, 2022 Fla. R. Gen. Prac. & Jud. Admin. Page 168 of 252

(D) Exceptions to E-mail Service on and by Parties Not Represented by an Attorney.

(i) A party who is in custody and who is not represented by an attorney is excused from the requirements of email service.

(ii) The clerk of court must excuse a party who is not represented by an attorney from the requirements of e-mail service if the party declares on Florida Rule of General Practice and Judicial Administration Form 2.601, under penalties of perjury, that the party does not have an e-mail account or does not have regular access to the Internet. The clerks of court shall make this form available to the public at their offices and on their websites. If a party not represented by an attorney is excused from e-mail service, service on and by that party must be by the means provided in subdivision (b)(2).

(E) Time of Service. Service by e-mail is complete on the date it is sent.

Use Form 2.601, Request To Be Excused from Email Service, if you wish to be excused from this requirement. The clerk must approve your declaration for you to be eligible for exemption. You may seek review by a Judge by requesting a hearing time if the clerk does not approve your exemption from email service.

Use Form 2.602, Designation of Email Address for A party Not Represented By An Attorney, if you agree to provide an email address for the service of court documents.

Use Form 2.603, Notice of Change of Address or Designated Email Address, to update or change your email address should the need arise. It is your responsibility to keep the court notified of any changes in your address, email address, and telephone number. It is also your responsibility to follow the progression of your case. Remember email service from the court is complete on the date it is sent. Check your email account, spam folders and junk mail often.

IN THE COUNTY COURT OF THE FIRST  
JUDICIAL CIRCUIT IN AND FOR SANTA COUNTY, FLORIDA

|           |                 |
|-----------|-----------------|
| Plaintiff | CASE NO: _____  |
| v.        | DIVISION: _____ |
| Defendant |                 |

**REQUEST TO BE EXCUSED FROM E-MAIL SERVICE FOR PARTY  
NOT REPRESENTED BY ATTORNEY [FORM 2.601]**

\_\_\_\_\_ requests to be excused pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(D) from the requirements of e-mail service because I am not represented by an attorney and:

- ☐ I do not have an e-mail account.
- ☐ I do not have regular access to the internet.

By choosing not to receive documents by e-mail service, I understand that I will receive all copies of notices, orders, judgments, motions, pleadings, or other written communications by delivery or mail at the following address:

\_\_\_\_\_  
\_\_\_\_\_.

I understand that I must keep the clerk's office and the opposing party or parties notified of my current mailing address.

Pursuant to section 92.525, Florida Statutes, under penalties of perjury, I declare that I have read the foregoing request and that the facts stated in it are true.

**CERTIFICATE OF SERVICE:**

I certify that a copy has been furnished by ☐e-mail, ☐delivery, ☐mail [choose one] on \_\_\_\_\_, to:

\_\_\_\_\_

\_\_\_\_\_  
(insert name(s) and address(es))

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: \_\_\_\_\_

Print Name: \_\_\_\_\_

**CLERK'S DETERMINATION.** Based on the information provided in this request, I have determined that the applicant is ☐ excused or ☐ not excused from the e-mail service requirements of Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C).

Dated: \_\_\_\_\_

Signature of Clerk: \_\_\_\_\_

**A PERSON WHO IS NOT EXCUSED MAY SEEK REVIEW BY A JUDGE BY REQUESTING A HEARING TIME.**

Sign here if you want the Judge to review the clerk's determination that you are not excused from the email service requirements. You do not waive or give up any right to judicial review of the clerk's determination by not signing this part of the form:

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

IN THE COUNTY COURT OF THE FIRST JUDICIAL CIRCUIT IN AND  
FOR SANTA ROSA COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff

v.

CASE NO: \_\_\_\_\_

DIVISION: \_\_\_\_\_

\_\_\_\_\_  
Defendant

**DESIGNATION OF E-MAIL ADDRESS FOR A PARTY  
NOT REPRESENTED BY AN ATTORNEY [FORM 2.602]**

Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.516(b)(1)(C),  
I, \_\_\_\_\_, designate the e-mail address(es) below for electronic  
service of all documents related to this case.

By completing this form, I am authorizing the court, clerk of court, and all parties to send copies of  
notices, orders, judgments, motions, pleadings, or other written communications to me by e- mail or  
through the Florida Courts E-filing Portal.

I understand that I must keep the clerk's office and any opposing party or parties notified of my current  
mailing address or e-mail address. I will file a written notice with the clerk if my mailing address or e-  
mail address changes again.

Designated e-mail address: \_\_\_\_\_

Secondary designated e-mail address(es), if any: \_\_\_\_\_

**CERTIFICATE OF SERVICE:**

I certify that a copy has been furnished on \_\_\_\_\_, by ☐e-mail, ☐delivery, ☐mail  
[choose one] to:

Clerk of Court for \_\_\_\_\_ County, and to:

\_\_\_\_\_  
\_\_\_\_\_  
(insert name(s) and address(es))

Plaintiff Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone No. \_\_\_\_\_

IN THE COUNTY COURT OF THE FIRST JUDICIAL CIRCUIT IN AND  
FOR SANTA ROSA COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff

v.

CASE NO: \_\_\_\_\_

DIVISION: \_\_\_\_\_

\_\_\_\_\_  
Defendant

**NOTICE OF CHANGE OF MAILING ADDRESS OR DESIGNATED E-MAIL  
ADDRESS [FORM 2.603]**

I, \_\_\_\_\_, certify that my ☐ mailing address or ☐  
designated e-mail address has changed to

\_\_\_\_\_  
\_\_\_\_\_

I understand that I must keep the clerk's office and any opposing party or parties notified of my current mailing address or e-mail address. I will file a written notice with the clerk if my mailing address or e-mail address changes again.

**CERTIFICATE OF SERVICE**

I certify that a copy hereof has been furnished on \_\_\_\_\_, by  
☐ e-mail, ☐ delivery, ☐ mail [choose one] to:

\_\_\_\_\_  
\_\_\_\_\_

(insert name(s) and address(es))

Plaintiff Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Telephone No. \_\_\_\_\_



**Introduction to Case Management Orders**

The following Santa Rosa County Administrative Order took effect in 2021. We have included this for informational purposes. These documents are not required to be filed at the onset of the case. They should, however, be reviewed by the Plaintiff.

For further information please review the Florida Rules of Civil Procedure or contact the Santa Rosa County Case Manager at (850) 981-5586.

FORM NOTES ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT COMPLETELY DESCRIBE THE REQUIREMENTS OF FLORIDA LAW.  
YOU SHOULD CONSULT AN ATTORNEY AS NEEDED.

**IN THE CIRCUIT COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA  
CIVIL DIVISION**

XXXXXXXXXXXXXXXXXXXX,

Plaintiff,

Case No.: XXXXXX

v.

Division:

XXXXXXXXXXXXXXXXXXXX,

Defendant.

\_\_\_\_\_ /

**ORDER TO PLAINTIFF REGARDING REQUIRED REPORTING**

THIS CAUSE, having come before the Court *sua sponte* upon the filing of this action and pursuant to First Judicial Circuit Administrative Order No. 2021-12, it is hereby,

ORDERED and ADJUDGED that the Plaintiff **shall** do the following:

1. Review and become familiar with First Judicial Circuit Administrative Order No. 2021-12.
2. Within 5 days of service of the complaint on the last of all named Defendants file a Notice of Final Service with the Court that includes the following:
  - a. Notice that the last of all named Defendants to be served has been served and the date of said service.
  - b. A statement as to whether the case is complex under Fla. R. Civ. P. 1.201, streamlined, or general as defined in First Judicial Circuit Administrative Order No. 2021-12.
3. Upon filing the Notice of Final Service required in paragraph 2, the Plaintiff shall also send a copy of said Notice to the **assigned** Judge's Judicial Assistant via the Proposed Documents function of the ePortal.
4. Failure of the Plaintiff to strictly comply with this Order shall subject the Plaintiff to appropriate sanctions including, but not limited to, the striking of pleadings or dismissal of this action without prejudice.

DONE AND ORDERED on today, in Chambers at Santa Rosa County, Florida.

/S/ Judge name

\_\_\_\_\_  
JUDGE

**In cases wherein one party is unrepresented (*pro se*), it is the responsibility of the sole attorney in the case to serve within five business days this Order/Judgment upon any *pro se* party who does not have access to and is not a registered user of Florida Court's e-Filing Portal.**

**IN THE COURTS OF THE FIRST JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA**

**ADMINISTRATIVE ORDER NO. 2021-12**

**RE: CIVIL CASE MANAGEMENT PLAN – MANDATORY REVIEW OF CIVIL CASES AND  
SUBMISSION OF CASE MANAGEMENT ORDERS**

**WHEREAS**, the Florida Supreme Court has issued Administrative Order 20-23, Amendment 12, which directs that each chief judge should issue an administrative order requiring presiding judges to actively manage civil cases; and

**WHEREAS**, the Florida Supreme Court has further directed that each circuit maximize the timely resolution of civil matters, and requires that attorneys and judges strictly observe and comply with Florida Rule of General Practice and Judicial Administration 2.545; and

**WHEREAS**, AOSC 20-23, Amendment 12, sets forth specific provisions for civil case management and resolution which are applicable to the existing backlog of civil cases, which are addressed herein by the undersigned in order to facilitate the timely, fair, and effective resolution of civil cases;

**NOW, THEREFORE**, pursuant to the authority of the Chief Judge, under section 43.26, Florida Statutes, and Florida Rule of General Practice and Judicial Administration 2.215 (b);


**IT IS HEREBY ORDERED:**

1. The case management procedures outlined below must be followed in actions to which the Florida Rules of Civil Procedure apply, as identified in Florida Rule of Civil Procedure 1.010. As prescribed by AOSC 20-23, Amendment 12, this also applies to cases proceeding "under one or more of the Florida Rules of Civil Procedure pursuant to Florida Small Claims Rule 7.020(c) if the deadline for the trial date specified in Florida Small Claims Rule 7.090(d) no longer applies." Per AOSC 20-23, Amendment 12, the case management procedures outlined below do not apply in cases proceeding under section 51.011, Florida Statutes, post-judgment proceedings, and writs filed pursuant to Fla.R.Civ.P. 1.630.
2. Each judge presiding in civil cases subject to this order shall review each of the civil cases pending in his or her division to determine whether the case is complex, streamlined, or general. These categories are defined as follows:
  - a. "Complex" cases are actions that have been or may be designated by court order as complex under Fla.R.Jud.P 1.201. Upon such designation, such an action should proceed as provided in the rule.
  - b. "Streamlined" cases are those cases meeting most or all of the following criteria, or as otherwise determined by the presiding judge: few parties; non-complex issues related to liability and damages; few anticipated pretrial motions; a limited need for discovery; few witnesses; minimal documentary evidence; no demand for jury trial and/or an anticipated trial length of less than two days.
  - c. "General" cases are all other civil cases.
3. A case management order must be issued for each pending and newly filed streamline or general civil case. Each case management order must include the following:
  - a. Deadlines for service of complaints, service under extensions, and the addition of new parties;
  - b. Deadlines by which fact and expert discovery shall be complete;
  - c. Deadlines by which all objections to pleadings and pretrial motions shall be resolved;
  - d. A deadline by which mediation shall have occurred;
  - e. A projected date of trial;
  - f. A statement that the deadlines included will be strictly enforced; and

- g. A statement that a firm trial date will be ordered when the case is at issue pursuant to Fla.R.Jud.P. 1.440.
4. If a streamlined or general civil case is subject to dismissal for a lack of prosecution under Fla.R.Jud.P. 1.420(e), a case management order is required only if the court determines that the action should remain pending. If the action remains pending, the case management order should be issued no later than 30 days after such determination is made by the presiding judge.
  5. In cases subject to a statutory stay or memorandum preventing the prosecution of the case the management order should be issued in accord with the following deadlines:
    - a. For cases filed on or after April 30, 2021, the case management order should be issued within 45 days after the stay or memorandum ends, or within 30 days after service of the complaint on the last of all named defendants, whichever date is later.
    - b. For cases filed before April 30, 2021, the case management order should be issued by December 3, 2021, within 45 days after the stay or moratorium ends, or within 30 days after service of the complaint on the last of all named defendants, whichever date is later. The case management order shall include each of the items prescribed above in paragraph 3, including the projected date of trial, if the trial has not yet occurred or a trial date has not yet been specified by separate order.
  6. In cases that are not subject to a statutory stay or moratorium, the case management order should be issued in accord with the following deadlines:
    - a. For cases filed on or after April 30, 2021, the case management order shall be issued within 30 days after service of the complaint on the last of all named defendants.
    - b. For cases filed before April 30, 2021, the case management order shall be issued by December 3, 2021. The case management order shall include each of the items prescribed above in paragraph 3, including the projected date of trial, if the trial has not yet occurred or a trial date has not yet been specified by separate order.
  7. Plaintiff (if self-represented) or Plaintiff's counsel should file a Notice of Final Service when the last named defendant has been served with the complaint to notify the presiding judge that service is complete and that the case management order may be prepared.
  8. For all existing and newly filed cases, the presiding judge will automatically generate a standard case management order containing deadlines in compliance with this order. Should any party desire to alter the initial case management order, and amended case management order meeting the time requirements outlined in this order may be prepared and stipulated to by the parties. The proposed order should be submitted for final approval by the presiding judge. The required form for the agreement is included as Attachment A. A sample management order is included as Attachment B.
  9. The following periods are applicable to the deadlines to be included in case management orders for streamlined cases:
    - a. Deadlines for service of complaints, service under extensions, and the addition of new parties: Service should be made within 120 days of the filing of the complaint unless the presiding judge grants an extension. The extension shall not exceed a time period beyond 240 days from the date of filing the complaint.
    - b. Deadlines to complete fact and expert discovery: Discovery should be complete within 270 days after the complaint is filed.
    - c. Deadline for objections to pleadings and resolution of pretrial motions: Objections to pleadings and pretrial motions should be resolved within 45 days of filing and prior to the pretrial conference.
    - d. Deadline for mediation: Mediation should be completed within 270 days after the complaint is filed.
    - e. Projected Trial Date: Trial dates should be set within 12 months of the filing complaint.

10. The following periods are applicable to the deadlines to be included in case management orders for general cases (unless otherwise ordered based on good cause):
  - a. Deadlines for service of complaints, service under extensions, and the addition of new parties: Service should be made within 120 days of the filing of the complaint unless the presiding judge grants an extension. The extension shall not exceed a time period beyond 240 days from the date of filing complaint.
  - b. Deadlines to complete fact and expert discovery: Discovery should be complete within 450 days after the complaint is filed.
  - c. Deadlines for objections to pleadings and resolution of pretrial motions: Objections to pleadings and pretrial motions should be resolved within 45 days of filing and prior to the pretrial conference.
  - d. Deadlines for mediation: Mediation should be completed within 450 days after the complaint is filed.
  - e. Projected Trial Date: Trial dates should be set within 18 months of the filing of the complaint.
11. All judges are directed to strictly comply with Florida Rule of General Practice and Judicial Administration 2.545(a), (b), and (e), which respectively require judges to conclude litigation as soon as it is reasonably and justly possible to do so, to take charge of all cases at an early stage, and to control the progress of the case thereafter until it is determined, and to apply a firm continuance policy allowing continuances only for good cause shown.
12. Attorneys are also reminded that they must strictly comply with Florida Rule of General Practice and Judicial Administration 2.545(a), which requires lawyers to conclude litigation as soon as it is reasonably and justly possible to do so, and that the pandemic alone is not basis for a lawyer's failure to prepare a case for trial or otherwise actively manage a case.
13. The procedures set forth in herein do not supplant any existing rule, statute, or law nor should they be construed as granting any rights not already provided by rule, statute, or law. To the extent that any provision of this Order may be construed as being in conflict with any rule, statute, or law, the rule, statute, or law shall prevail.
14. This order is effective April 30, 2021.

**DONE AND ORDERED** this 30<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
**JOHN L. MILLER**  
**CHIEF JUDGE**

Copies of Administrative Order No. 2021-12 furnished to:

All Judges, First Judicial Circuit

Robin Wright, Trial Court Administrator

William Eddins, State Attorney, First Judicial Circuit

Bruce Miller, Public Defender, First Judicial Circuit

All Clerks of Court, First Judicial Circuit

Candice Brower, Office of Criminal Conflict and Civil Regional Counsel

Justice Administration Commission

Craig Waters, Florida Supreme Court

For Broadcast by: Escambia-Santa Rosa Bar Association

For Broadcast by: Okaloosa Bar Association

For Broadcast by: Walton County Bar Association

For Posting at [www.FirstJudicialCircuit.org](http://www.FirstJudicialCircuit.org)

IN THE COUNTY COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff

CASE NO: \_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s)

**CIVIL CASE MANAGEMENT PLAN**

1. **Case Track Assignment** (check one): Case disposition time for all case tracks have been established in accordance with Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B).

- ☐ Streamlined Track (Case resolved within 12 months without a jury trial).  
☐ General Track (Case resolved within 18 months with or without a jury trial).  
☐ Complex Track (Case resolved pursuant to Florida Rule of Civil Procedure 1.201, with or without a jury trial).

2. **Case Deadlines and Events:**

| Deadline or Event  | Party (if applicable) | Date |
|--|-----------------------|------|
| Deadlines for service of complaints, service under extensions, and the addition of new parties.  |                       |      |
| Deadlines to complete fact and expert discovery  | Plaintiff(s):         |      |
|  | Defendant(s):         |      |
| Deadlines for all objections to pleadings and pretrial motions to be resolved  |                       |      |
| Deadline for mediation to have occurred  |                       |      |
| Projected date of <b>Pretrial conference</b>   |                       |      |
| Projected date of trial (a firm trial date will be ordered by the presiding judge when the case is at issue pursuant to Florida Rule of Civil Procedure 1.440) |                       |      |

### 3. Trial Information

|  |   |
|--|---|
| Estimated Length of Trial (specify Number of trial days) |   |
| Identification of Jury or Non-Jury Trial                 | <input type="checkbox"/> Jury Trial     |
|  | <input type="checkbox"/> Non-Jury Trial |

The schedule of deadlines herein will be strictly adhered to by the parties unless change is otherwise agreed to by the parties and approved by the Court. The Court will consider a request to approve changes to these deadlines upon a showing of good cause by either party based on matters arising from an emergency nature or unavailability. However, once the *Civil Case Management Plan* has been approved by the Court, procrastination in completing discovery or the unavailability of counsel will not constitute good cause for a change to these deadlines. The failure to abide by these deadlines may result in sanctions.

### 4. SIGNATURE OF COUNSEL/UNREPRESENTED PARTIES IF SUBMITTED AS AGREED UPON PLAN

\_\_\_\_\_  
Plaintiff's Counsel  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_  
Fla Bar #: \_\_\_\_\_

\_\_\_\_\_  
Defendant's Counsel  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_  
Fla Bar #: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff (if unrepresented)  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

\_\_\_\_\_  
Defendant (if unrepresented)  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



IN THE COUNTY COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA

\_\_\_\_\_  
Plaintiff

CASE NO: \_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s)

**CIVIL CASE MANAGEMENT ORDER**

**THE COURT** having reviewed the *Civil Case Management Plan* filed on, \_\_\_\_\_ and finding it to be satisfactory, it is now

**ORDERED** that all parties shall abide by the terms of the *Civil Case Management Plan*.

**DONE and ORDERED** on [date] \_\_\_\_\_, in Santa Rosa County, Florida.

\_\_\_\_\_  
Judge

Copies:

**IN THE COUNTY COURT IN AND FOR SANTA ROSA COUNTY, FLORIDA  
COUNTY CIVIL DIVISION**

\_\_\_\_\_  
Plaintiff

CASE NO: \_\_\_\_\_

vs.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s)

**NOTICE OF FINAL SERVICE**

Service of the Complaint: The Defendant(s) was served with the complaint on

\_\_\_\_\_  
.

Case Track Assignment (check one): Case disposition times for all case tracks have been established in accordance with Florida Rule of General Practice and Judicial Administration 2.250(a)(1)(B).

Streamlined Track (Case resolved within 12 months without a jury trial.)

General Track (Case resolved within 18 months with or without a jury trial.)

Complex Track (Case resolved pursuant to Florida Rule of Civil Procedure 1.201, with or without a jury trial)

Date: \_\_\_\_\_

Plaintiff(s) Printed Name: \_\_\_\_\_

Plaintiff(s) Signature: \_\_\_\_\_

Mail to: CLERK OF COURTS

Attn: County Civil Claims

P.O. Box 472

Milton, FL 32572