

No New Case Filings Accepted after 3:30 PM

**UNLAWFUL
DETAINER
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 \$9.00

When should this form be used?

- You are trying to remove someone from your property (you are the owner or a legal tenant) and
- The person you are trying to remove does not have permission to stay on the property (they are not an owner or a legal tenant), and
- There is no agreement for rent (verbal or in writing) between you and the person you are trying to remove, and
- The person you are trying to remove does not claim to own the property.
- The property must be located within Santa Rosa County.

Example – You have someone (roommate, boyfriend, girlfriend, family member, etc.) living in your home with you. There is no rental agreement. You do not want that person in your home any longer. You have requested them to leave, and they have refused.

This action is governed by Florida Statute, Chapter 82

READ ALL OF THE INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING.

RETAIN COPIES OF ALL FORMS FILED FOR YOUR OWN RECORDS.

DOCUMENTS MUST BE LEGIBLE, TYPE WRITTEN OR LEGIBLY HANDWRITTEN IN BLACK INK.

FILING FEE: \$300.00

Summons issuance fee: \$10.00 per defendant.

Summons prepared and issued by Clerk: \$17.00 per defendant.

Payable by cash/ cashier's check/ money order/ credit card (MasterCard, Visa, American Express, Discover), there is a service fee charged by the vendor for using credit or debit cards.

IN ADDITION to the above-mentioned filing fee and summons issuance fee, a fee is required to serve each defendant. The Sheriff of Santa Rosa County charges \$40 for each defendant served. The Sheriff's office will accept a cashier's check or money order, made payable to SRSO.

UNLAWFUL DETAINER PACKET

NOTICE TO PARTIES WHO ARE NOT REPRESENTED BY AN ATTORNEY

If you have questions or concerns about these forms, commentary, the use of the forms, or your legal rights, it is strongly recommended that you talk to an attorney. You may call the Florida Bar Lawyer Referral Service at 1-850-434-8135.

Because the law does change, the forms and information about them may have become outdated. You should be aware that changes may have taken place in the law or court rules that would affect the accuracy of the forms or instructions.

FILING FEE: \$ 300.00 – Unlawful Detainer Action

SUMMONS FEES: There is a \$ 10.00 fee to issue any summons (including alias and pluries) per defendant, if you utilize the summons provided in this packet. The fee will be \$ 17.00 if you choose not to use the summons in the packet and wish for the clerk to perform this service for you.

NOTARY FEES: There is a \$ 10.00 fee for signing a document requiring notarization at the Clerk's office (per document), I.D. required.

PROCESS SERVERS FEE: To request a list of process servers please contact The Florida First Judicial Circuit Process Server Information Line at 850-595-3766

SHERIFF'S FEE: \$ 40.00 per summons

COPIES REQUIRED: One set of originals for filing and three sets of copies per defendant for service, along with two pre-addressed postage paid envelope per defendant (one to the defendant at residential address and one to the last known business address of the defendant) and one additional pre-addressed postage paid self-addressed envelope per plaintiff.

WRIT OF POSSESSION FEE: \$ 90.00 for the sheriff to serve the Writ of Possession after the Final Judgment has been entered.

FILING CHECKLIST

Step One

(File case with Clerk)

To file an Unlawful Detainer case, you may file the following forms along with the filing fee and issuance fee with the Clerk's office. **Make a copy of Form #1 and Form #2 for your records if desired**

Civil Cover Sheet One (1) original filed with the Clerk and three (3) copies for each Defendant to be served.

(Form #1) Complaint for Unlawful Detainer, with a chain of title attached.

Examples: warranty deed or title to the property (if available). One (1) original filed with the Clerk and three (3) copies for each Defendant to be served.

(Form #2) Summons One (1) original and four (5) copies for **each** Defendant to be served.

- **Form 2-A** If you wish for the Clerk to Prepare and Issue the summons, please fill out the Request for Clerk to Prepare and Issue Summons Form. This will cost \$17.00 per summons.
- **Form 2-B** The Clerk is required to mail a copy of the case to the Defendant's last known business address. If this address is not known, please fill out the Declaration to the Court of No Known Last Business Address.

Form 2.601 OR 2.602 Designation of Email Address OR Request to be Excused One (1) original filed with the Clerk and three (3) copies for each Defendant to be served. For more information, see page 8.

COPIES REQUIRED: One set of originals for filing and three sets of copies per defendant for service, along with two pre-addressed postage paid envelopes per defendant (one to the defendant at residential address and one to the last known business address of the defendant and one additional pre-addressed postage paid self-addressed envelope per plaintiff.)

POSTED SERVICE: For service to be valid when a 5-day summons is posted because the defendant is not present for service, a copy of the summons and complaint must also be mailed to the defendant. See Fla. Stat. 48.183. To accomplish this mailing, **for each defendant so served, provide to the clerk:**

- **2 addressed, stamped envelope (regular mail, first class)**
One to the address on the lease, one to last known business address.
If a business address for a defendant is not known, please fill out Form 2-B, Declaration to Court of No Known Last Business Address.

Service shall be effective on the date of posting or mailing, whichever occurs later, and at least 5 business days must have elapsed before judgment for final removal of the defendant(s) may be entered.

¹48.184 Service of process for removal of unknown parties in possession.—

(1) This section applies only to actions governed by s. 82.03, s. 83.21, s. 83.59, or s. 723.061 and only to the extent that such actions seek relief for the removal of unknown parties in possession of real property. The provisions of this section are cumulative to other provisions of law or rules of court about service of process, and all other such provisions are cumulative to this section.

(2) A summons must be issued in the name of “Unknown Party in Possession” when the name of an occupant of real property is not known to the plaintiff and the property occupied by the unknown party is identified in the complaint and summons. A separate summons must be issued for each such unknown occupant.

(3) The plaintiff shall attempt to serve the summons on any unknown occupant of the property described in the summons and complaint. If service on the unknown occupant is not effectuated on the first attempt, at least two additional attempts must be made. The three attempts to obtain service must be made once during business hours, once during nonbusiness hours, and once during a weekend. The process server shall make an inquiry as to the name of the unknown occupant at the time of service. The return of service must note the name of the occupant if obtained by the process server or state that the name of the occupant could not be obtained after inquiry. If the name of the occupant becomes known to the plaintiff through the return of service or otherwise, without notice or hearing thereon, all subsequent proceedings must be conducted under the true name of such occupant and all prior proceedings are deemed amended accordingly.

(4) Service of process must also be made on unknown occupants by both of the following means:

(a) By attaching the summons and complaint to a conspicuous location on the premises involved in the proceedings.

(b) Upon issuance of the summons, by the plaintiff providing the clerk of the court with one additional copy of the summons and complaint for each unknown occupant and a prestamped envelope for each unknown occupant addressed to the unknown occupant at the address of the premises involved in the proceedings. The clerk of the court shall immediately mail a copy of the summons and complaint by first-class mail, note the fact of mailing in the docket, and file a certificate in the court file of the fact and date of mailing. The clerk of the court shall charge such fees for such services as provided by law.

(5) Service is effective on the unknown occupant in possession on the later of the date that personal service is made, the date of attaching the summons and complaint to a conspicuous location on the premises, or upon mailing by the clerk.

(6) The judgment and writ of possession must refer to any unknown occupant in possession by name if the name is shown on the return of service or is otherwise known to the plaintiff. If the name of any unknown occupant in possession is not shown on the return of service or otherwise known to the plaintiff and service has been effectuated as provided in this section, the judgment and writ of possession must refer to each such person as “Unknown Party in Possession,” and the writ of possession must be executed by the sheriff by dispossessing the occupants and placing the plaintiff in possession of the property.

History.—s. 13, ch. 2022-190.

¹Note.—Effective January 2, 2023.

Step Two (Obtain Judgment)

(Form 11) Notice of Final Service Please file this with the clerk AFTER returns of successful service have been received for **all** Defendants in the case.

6 days after service on the Defendant(s):

IF DEFENDANT(S) **DID NOT** respond, you may file the following forms:

- (Form #3)** Motion for Clerk's Default-Unlawful Detainer
- (Form #4)** Nonmilitary affidavit
- (Form #5)** Motion for Default Final Judgment
- (Form #6)** Final Judgment of Unlawful Detainer
- (Form #8)** Writ of Possession, ****Once the Final Judgment has been signed****
The Sheriff's office requires a service fee of \$90.00 to serve the Writ of Possession.

OR

IF DEFENDANT(S) **DID** respond, you may file the following forms:

- (Form #7)** Notice of Hearing
****It is your responsibility to contact the Judicial Assistant for the Judge that is assigned to your case, to set a hearing date. Once you have set your hearing date; complete this form and make copies. File the original and submit a copy to the Defendant(s).**

- (Form #6)** Final Judgment
****Bring the Final Judgment and (1) copy for each Plaintiff AND Defendant to the hearing and (1) pre-addressed, stamped envelope for each party as well.**

- (Form #8)** Writ of Possession
Submit along with the form a cashier's check or money order for \$90 made payable to the Santa Rosa County Sheriff.

If the Judge grants your complaint, a Final Judgment will be signed.

Once the plaintiff has received the Final Judgment, please provide the clerk's office the completed Writ of Possession (form #8) the clerk of court will then issue and seal same. The plaintiff may take the issued writ of possession to the sheriff's office with their required fee of \$90.00 or the plaintiff may elect to leave the \$90.00 with the clerk's office along with the issued writ of possession for courier service to the sheriff's office.

This is a courtesy service and the clerk's office makes no guarantee as to the speed or timeliness of delivery to the sheriff's office. If you elect to leave the Sheriff's office payment with the clerk, payment must be in the form of cashier's check, money order, or business check made payable to SRSO.

Additional Forms

(Form #9) Notice of Voluntary Dismissal

If you decide not to proceed with your case prior to a judgment being entered, you should file a “Notice of Voluntary Dismissal.”

(Form #10) Blank Motion Form - used for filing Motions which are not specifically addressed in this packet.

(Form #11) Notice of Final Service – File with the Clerk once all parties have been served. We will ALSO need a Return of Service for each party before we can accept this Notice.

Administrative Order No 2021-12 This Administrative Order is included for informational purposes and explains the following forms and requirements of the Plaintiff.

- **Order to Plaintiff Regarding Required Reporting,**
- **Civil Case Management Plan (Form 12)**
- **Civil Case Management Order (Form 13)**

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 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 1.997, Civil Cover Sheet, Filed with your original case filing. The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

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.

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE

Santa Rosa Circuit Court

Plaintiff _____

Case No: _____

vs.

Defendant _____

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. \$

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL / not applicable to county civil cases

- _____ Condominium
- _____ Contracts and indebtedness
- _____ Eminent domain
- _____ Auto negligence
- _____ Negligence—other
 - _____ Business governance
 - _____ Business torts
 - _____ Environmental/Toxic tort
 - _____ Third party indemnification
 - _____ Construction defect
 - _____ Mass tort
 - _____ Negligent security
 - _____ Nursing home negligence
 - _____ Premises liability—commercial
 - _____ Premises liability—residential
 - _____ Products liability

- Real property/Mortgage foreclosure
- Commercial foreclosure
- Homestead residential foreclosure
- Non-homestead residential foreclosure
- Other real property actions

- Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other
- Professional Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Civil
- Replevins
- Evictions
- Other civil (non-monetary)

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;
- Punitive

V. NUMBER OF CAUSES OF ACTION: [__](Specify)

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

_____yes
_____no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

_____no
_____yes If “yes,” list all related cases by name, case number, and court.

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

_____yes
_____no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature _____ Fla. Bar # _____
Attorney or party (Bar # if attorney)

(type or print name)

Date: _____

**IN THE COUNTY COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR
SANTA ROSA 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 _____ (date), 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.

Defendant

CASE NO: _____

DIVISION: _____

**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 Santa Rosa County, and to:

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

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

IN THE COUNTY/CIRCUIT 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: Clerk of court for Santa Rosa County, and

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

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

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

Plaintiff(s)

Vs

Case No.: _____

Defendant(s)

COMPLAINT FOR UNLAWFUL DETAINER

COMES NOW, the Plaintiff(s) _____ and sues Defendant(s) _____ and states as follows:

1. This is an action to recover possession of real property unlawfully detained, *pursuant to Florida Statutes, Chapter 82*, located in Santa Rosa County, Florida.

2. On or about {date} _____, Defendant(s) _____ took possession of the property/dwelling located at: _____

{Describe property, i.e. property address or legal description}
to which Plaintiff(s) claims title as shown by the attached chain of title (if available).

3. On or about {date} _____, Plaintiff(s) revoked consent for Defendant(s) to be in possession of the property/dwelling and on, that date, so informed the Defendant and demanded the Defendant(s) vacate the premises.

4. However, Defendant(s) _____ refused to vacate the premises and continues in possession of the property/dwelling against the consent of Plaintiff(s), contrary to § 82.04, Florida Statutes.

5. In accordance with § 82.04 (1), Florida Statutes, Plaintiff(s) is entitled by this lawsuit to have Defendant(s) removed from possession of the premises; and Plaintiff(s) is entitled to the summary procedure set forth in § 51.011, Florida Statutes.

WHEREFORE, Plaintiff(s) respectfully requests that the Court will find that Defendant(s) wrongfully holds possession of the premises, grant final judgment in favor of Plaintiff(s) against Defendant(s), issue a writ of possession in favor of Plaintiff(s) and against Defendant(s) in accordance with § 82.091, Florida Statutes, award to Plaintiff(s) the cost of this action and grant to Plaintiff(s) such other relief as justified by the circumstances in this action.

Signature: _____

{Plaintiff sign and print name }

Signature: _____

{Plaintiff sign and print name }

Address: _____
City, State, Zip Code _____
E-mail: _____

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

Plaintiff(s)

VS

Case No: _____

Defendant(s)

**UNLAWFUL DETAINER SUMMONS
(CLAIM FOR POSSESSION OF PREMISES)**

**TO EACH SHERIFF OF THE STATE: You are commanded to serve this
SUMMONS and a copy of the COMPLAINT in this lawsuit on the above-styled
cause upon the Defendant:**

TO DEFENDANT(S):

Defendant Name

Defendant Address

Please Read Carefully

You are being sued by Plaintiff, owner, to require you to vacate the premises which you are unlawfully possessing, for the reasons given in the attached complaint.

You are entitled to a hearing to decide whether you can be required to vacate, but you must do all of the things listed below. You must do them within five (5) days (not including Saturday, Sunday, or any legal holiday) after the date these papers were given to you or to a person who lives with you or were posted at the premises.

THE THINGS YOU MUST DO ARE AS FOLLOWS:

1. Write down the reasons(s) why you think you should not be forced to vacate. The written reason(s) must be given to: the Court Clerk at the Santa Rosa County Courthouse,
at: 4025 Avalon Blvd. Milton, Fl. 32583 or: P.O. Box 472 Milton, Fl. 32572
2. As well as the Courthouse, mail or take a copy of your written reason(s) to:

Plaintiff Name and Address

IF YOU DO NOT DO ALL OF THESE THINGS WITHIN 5 DAYS, YOU MAY BE DISPOSSESSED WITHOUT A HEARING OR FURTHER NOTICE.

PERSONAL SERVICE: IF THIS SUMMONS and a copy of the **COMPLAINT** have been personally served upon you or upon anyone residing at your residence who is 15 years of age or older, your **WRITTEN ANSWER AND DEFENSES MUST** be received by the Clerk **within five (5) WORKING DAYS** of the service as to the claim for possession of the premises.

POSTED-MAIL SERVICE: IF THIS SUMMONS and a copy of the **COMPLAINT** have been attached to a conspicuous place on your residence your **WRITTEN ANSWER AND DEFENSES MUST** be received by the Clerk **within five (5) WORKING DAYS** of the date that it was attached to some conspicuous place on the property described in the **COMPLAINT**. The date of posting is the date noted thereon by the Sheriff's Office or the Process Server.

A **DEFAULT** may be entered against you and a **JUDGMENT** to remove you from the property and/or for reasonable costs and attorney's fees may be entered without further notice to you, if you do not follow these instructions.

WITNESS MY HAND AND SEAL OF THIS COURT

Dated On: _____

CLERK OF COUNTY COURTS,

By: Deputy Clerk

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

**Court Administration, ADA Liaison
Santa Rosa County
4025 Avalon Blvd
Milton, FL 32583
Phone (850) 623-3159 Fax (850) 983-0602
ADA.SantaRosa@flcourts1.gov**

at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

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

Plaintiff(s)

VS

Case No: _____

Defendant(s)

**REQUEST FOR THE CLERK TO PREPARE AND ISSUE
SUMMONS**

Plaintiff, _____

Hereby requests for the clerk's office to issue and prepare summons on the
defendant _____

The service address for defendant is _____

{insert the address}

Plaintiff Signature: _____

Name: _____

Address: _____

Telephone No. _____

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

Plaintiff(s)

VS

Case No: _____

Defendant(s)

DECLARATION TO COURT OF NO KNOWN LAST BUSINESS ADDRESS

Plaintiff, _____
assert that I cannot provide to the Court the last known business address of
defendant _____.

I relieve the court of any responsibility or obligation to perform the mailing of the lawsuit and
summons so filed in this court to the defendant at the last known business address.

Plaintiff Signature: _____

Name: _____

Address: _____

Telephone No. _____

MOTION FOR CLERK'S DEFAULT-UNLAWFUL DETAINER

The defendant(s) will have five days, after service, to file a written response to the Complaint for Unlawful Detainer. If the defendant(s) fails to file a written response in the time prescribed by law the Plaintiff is entitled to Judgment by default.

Obtaining the judgment is a two-step process. First, a Clerk's default should be obtained by delivering to the Clerk of Court an executed motion for clerk's default. The motion for clerk's default should be used to obtain a clerk's default when the defendant(s) has failed to respond to the unlawful detainer complaint. To be entitled to a default a Non-military Affidavit must be filed with the clerk.

Second, based on the clerk's default and/or testimony at the hearing (if any) the Judge presiding over the case may enter a Final Judgment for Possession.

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

Plaintiff(s)

Vs.

Case No. _____

Defendant(s)

MOTION FOR CLERK'S DEFAULT- UNLAWFUL DETAINER

Plaintiff moves for entry of a Default by the Clerk and as grounds therefore states the following: Service of Process has been effected on the Defendant(s)

The time to file a response has expired.

The defendant(s) _____ have failed to serve any paper on the undersigned or file any paper as required by the law.

Dated On: _____

Plaintiff's Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

DEFAULT – UNLAWFUL DETAINER

A default is entered in this action against the Defendant(s) for failing to serve any paper or file any paper as required by law to Plaintiff(s) Complaint for unlawful detainer.

Dated: _____

CLERK OF COUNTY COURT,

BY: DEPUTY CLERK

I certify that a copy of this document was [one only] mailed, faxed, e-mailed, or hand delivered to the person(s) listed below on the ____ day of _____, 20____.

Defendant: _____

Address: _____

City, State, Zip: _____

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

Plaintiff(s)
Vs

Case No. _____

Defendant(s)

NON-MILITARY AFFIDAVIT

State of Florida County of Santa Rosa

On this day personally appeared before me, _____ the
(Plaintiff's Name)
undersigned authority who after being duly sworn, says:

Defendant is known by Affiant not to be in the military service or any government agency or branch subject to the provisions of the Soldiers' and Sailors' Civil Relief Act.

I understand that I am swearing or affirming under oath to the truthfulness of the claims made in this affidavit and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated On: _____

Plaintiff's Signature: _____

Printed Name: _____

Address: _____

Phone Number: _____

State of Florida County of Santa Rosa

Sworn and subscribed before me this _____ day of _____, 20_____, by
_____, who is _____ personally known to me or
_____ produced _____ as identification and who took
an oath.

Notary Public

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

Plaintiff(s)

Vs.

Case No. _____

Defendant(s)

MOTION FOR DEFAULT FINAL JUDGMENT- UNLAWFUL DETAINER

Plaintiff(s) asks the court to enter a Default Final Judgment against Defendant(s) for unlawful detainer and says:

1. Plaintiff(s) filed a Complaint for Unlawful Detainer from Real Property against Defendant(s).

2. Defendant(s) has failed to timely file and answer and a default has been entered by the Clerk of this Court on the ____ day of _____, 20_____.

WHEREFORE, Plaintiff(s) asks this Court to enter a Final Judgment for Unlawful Detainer against the Defendant(s).

Dated On: _____

Plaintiff's Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

I certify that a copy of this document was [one only] mailed, faxed,
 e-mailed, or hand delivered to the person(s) listed below on the ____ day of
_____, 20_____.

Defendant: _____

Address: _____

City, State, Zip: _____

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

Plaintiff(s)

Vs.

Case No. _____

Defendant(s)

FINAL JUDGMENT FOR UNLAWFUL DETAINER

This cause having come before the Court on Complaint for Unlawful Detainer and it appearing that the Defendant(s) has been duly served with process, it is hereby:

ORDERED AND ADJUDGED that the Plaintiff(s) do have and recover from the Defendant(s) possession of the following premises located in Santa Rosa County, Florida, to wit: _____

(Describe property, i.e. property address or legal description)

The Clerk of Court shall issue the Writ of Possession for the aforesaid premises forthwith.

It is further **ORDERED AND ADJUDGED** that the Plaintiff(s) recover judgment against the Defendant(s) costs in the amount of \$ _____, for all of which let execution issue.

DONE AND ORDERED in Santa Rosa County, Florida on the ____ day of _____, 20____.

County Court Judge

CC:

Plaintiff: _____

Defendant(s): _____

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

Plaintiff(s)

Vs

Case No. _____

Defendant(s)

NOTICE OF HEARING

TO: Defendant(s): _____

There will be a hearing before Judge _____ on {date} _____
at {time} _____ a.m./p.m., in Judge's chambers at the Santa Rosa County
Courthouse at 4025 Avalon Blvd. Milton, Fl. 32583 on the following issues:
Complaint for Unlawful Detainer

_____ hour(s)/ _____ minutes have been reserved for this hearing.

If this matter is resolved, the moving party shall contact the judge's office to cancel this hearing.

CERTIFICATE OF SERVICE

I certify that a copy of this document was: mailed, faxed and mailed, hand delivered to:
The person(s) listed below on the _____ day of _____, 20_____.

Defendant: _____

Address: _____

City, State, Zip _____

Plaintiff's Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact:

Court Administration, ADA Liaison

Santa Rosa County

4025 Avalon Blvd

Milton, FL 32583

Phone (850) 623-3159 Fax (850) 983-0602

ADA.SantaRosa@flcourts1.gov

at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

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

Plaintiff(s)
Vs

Case No. _____

Defendant(s)

WRIT OF POSSESSION

**THE STATE OF FLORIDA:
TO ALL AND SINGULAR THE SHERIFFS OF THE STATE:**

YOU ARE COMMANDED to remove all persons from the following described property in
Santa Rosa County, Florida; _____

(Describe property, i.e. address or legal description)

Dated On: _____.

CLERK OF COUNTY COURTS,

By: Deputy Clerk

Contact Person: Name: _____

Address: _____

Phone: _____

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

Plaintiff(s)

Vs

Case No: _____

Defendant(s)

NOTICE OF VOLUNTARY DISMISSAL OF UNLAWFUL DETAINER

Plaintiff(s), _____, in the above styled cause hereby submit this Notice of Voluntary Dismissal as this cause has been settled between parties.

CERTIFICATE OF SERVICE

I certify that a copy of this document was [one only] mailed, faxed and mailed, hand delivered to the person(s) listed below on the ____ day of _____, 20____.

Defendant: _____

Address: _____

City, State, Zip _____

Plaintiff's Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

CERTIFICATE OF SERVICE

I certify that a copy of this document was [one only] mailed, faxed and mailed, emailed, hand delivered to the person(s) listed below on the ____ day of _____, 20____.

Plaintiff's Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

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

(INCLUDING ALL CIVIL LAWSUITS IN THE AMOUNT OF \$8,001-\$50,000 EXCLUDING COSTS, INTEREST, AND FEES.)

Plaintiff(s)

Vs

Case No: _____

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

Introduction to Case Management Order

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 30th day of April, 2021.



JOHN L. MILLER
CHIEF JUDGE

Unlawful Detainer Packet 2024

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

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 Pretrial conference		
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	Jury Trial
	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: