

No New Filings Accepted after 3:30 PM

**REPLEVIN
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

IMPORTANT NOTICE

Information or forms provided by the Clerk of Court should be considered as basic information only and may not be applicable to every situation. It does not explain all your options and/or rights.

Specific guidance as to how to proceed with filing a lawsuit or answering a lawsuit and legal questions about your situation should be directed to a qualified attorney.

Because of the complexity, at times, of this type of case, you should research the Florida.

Statutes, Chapter 78, for further instructions in a replevin case or contact an attorney.

Filing fees for Replevin:

Claims less than \$1,000 - \$130.00

Claims \$1,001 to \$2,500 - \$260.00

Claims \$2,501 to \$15,000 - \$385.00

Claims \$ 15, 001 to \$50, 000 - \$ 485.00

To issue summons: \$10.00 per defendant for each summons

To issue and prepare summons: \$ 17.00 per defendant for each summons

To certify Order to Show Cause Hearing \$ 2.00 per defendant

To certify Replevin Final Hearing Order \$ 2.00 per defendant

Copies from the Court file \$1.00 per page

Oath fee \$ 3.50 per party sworn in

Notary Fee \$ 10.00 party if sworn in by a notary

Writ of Replevin preparation fee \$9.00

Execution of Plaintiff prepared writ of replevin \$ 2.00

Cash, Local Check, Money Order, Cashier's Check, Visa, MasterCard, Discover, American Express (A service charge will be added when using credit or debit card)

THIS PACKET CONTAINS THE FOLLOWING FORMS:

- Civil Cover Sheet
- Designation Of Email Address for A Party Not Represented By An Attorney
- Request To Be Excused from Email Service
- Notice Of Change of Address Or Designation Email Address
- Replevin Complaint (type or print neatly)
- Replevin Order to Show Cause (complete everything with the exception of any dates or times)
- Summons/Notice to Appear (names only) & Request for the Clerk to Prepare and Issue Summons
- Affidavit for Restraining Order & Restraining Order (complete your name and reason you believe the property sought in the replevin action may be removed, etc.)
- Request for Alias or Pluries (complete only if Sheriff's Office cannot locate defendant with the first address provided)
- Notice of Voluntary Dismissal of Replevin (complete only if you wish to dismiss the case)
- Satisfaction of Judgment (complete only if money judgment is received and subsequently paid by defendant)
- Blank Motion Form
- Writ of Replevin
- Civil Case Management Plan & Civil Case Management Order
- Notice of Final Service

FILING YOUR COMPLAINT

Please type or print the complaint.

The person filing the case is the Plaintiff and the Defendant is the person you are suing who is in possession of property/goods you are seeking to recover.

Replevin actions are filed in the county and state where the property is located.

You can sue an individual, a business, or a corporation. You have the burden of investigating to determine whether you are filing against the correct parties.

- Individual – you will need the exact name and address of the person. If the defendant is married and you feel the spouse is also responsible list them as a defendant as well. Avoid using Mr. and Mrs.
- Corporation – Obtain the name and address of an officer of the corporation; the president, vice-president, etc. or in the absence of any of these, the name and address of the business agent residing in this state, or the name of the resident agent for the business in this state.
- Business – You will need the name and address of the person that owns the business.

It is important to style your case correctly: (example)

- Bill Jones d/b/a Book World
- Bill Jones and Joe Smith, a partnership d/b/a Book World
- Book World Inc., a Florida Corporation, d/b/a The Book Store by serving Bill Jones
- Book World Inc., by serving John Davis, registered agent

This Information can be found from the Florida Secretary of State, Division of Corporations, Tallahassee, Florida. The website for the secretary of state is www.sunbiz.org.

Upon payment of the filing fee, the deputy clerk will assign a case number and judge. You will be notified of the court date by e-mail. It is the plaintiff's responsibility to follow the progress of the case and take action to move the case forward. **It is the plaintiff(s) responsibility to provide the service packet to the Sheriff's office for service on the defendant(s).**

HAVING YOUR COMPLAINT SERVED ON THE DEFENDANT:

A copy of the complaint must be legally served on each defendant by the Sheriff or process server in the county where the defendant resides. Once the case is filed you will receive by email the appropriate documents notifying you of a replevin order to show cause date before the assigned Judge. It is your responsibility to immediately contact the Clerk's office for instructions as to the paperwork that is required for service on the defendant(s). Should you pick up paperwork from the Clerk's office there will be a charge of \$1.00 per page from the Court file to print the required paperwork if you do not provide it. The service of this matter is time sensitive.

If the defendant is not served the case will not move forward. The lawsuit, summons and replevin order to show cause must be served by the Sheriff's Office. The Sheriff's Office charges \$40.00 (per defendant) to serve the complaint on the defendant(s).

If you do not receive notification of service of the complaint within 2 weeks from the Sheriff's Office, you should call the Clerk's Office to check on the return of service. **THE CLERK'S OFFICE WILL NOT CALL YOU.** If the action is returned un-served, you will need to find a better address or place the person can be served. Request in writing (form included) an Alias Order to Show Cause and Replevin Notice to Appear.

ORDER TO SHOW CAUSE HEARING /REPLEVIN FINAL HEARING

A date for this hearing will be scheduled when the case is filed and is usually within 2 months from the date you file your case, however the date assigned is dependent entirely upon the Judge's docket. Arrive on time and give yourself ample time to find parking and to find your way to the appropriate courtroom. At this hearing the Judge will listen to both sides, review the evidence and determine who will have possession of the property. Should the Judge rule for the plaintiff, a Writ of Replevin will be signed, and you should have it served by the Sheriff. The cost for this service will be \$90.00 made payable to the Santa Rosa County Sheriff's Office.

You may also be awarded a Final Judgment for costs. You may want to research the methods of collecting on your judgment by searching the Florida Statutes, Chapter 55 or contacting an attorney.

AFFIDAVIT FOR RESTRAINING ORDER & RESTRAINING ORDER

This can only be used if the person(s) in possession of the property sought is an individual. This form is not applicable if you are suing a business or corporation. You should only use this form if you have reason to believe the property you seek to recover will be destroyed, concealed, removed from the court's jurisdiction, etc.

SATISFACTION OF JUDGMENT

If the defendant pays the judgment in full, you are required to file and record a satisfaction of judgment. The cost for recording this satisfaction to remove the judgment against the defendant is \$10.00 made payable by cashier's check or money order to the Clerk of the Court.

NOTICE OF DISMISSAL

Should you at any time wish to dismiss the case against the defendant, you should file a Notice of Voluntary Dismissal of Replevin. You must also send a copy of the dismissal to the defendant.

FILING CHECKLIST

Forms to Use Filing the Case with the Court:

- Civil Cover Sheet
- Form 2.602, Designation of Email Address for A Party Not Represented By An Attorney, if you agree to provide an email address for service of court documents. OR Form 2.601
- 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.
- Form 2.603, Notice of Change of Address or Designated Email Address, to update or change your email should the need arise. It is your responsibility to keep the court notified of any changes in your address, email address and telephone number. Check your email account, spam folders and junk mail often.
- Replevin Complaint (provide the original for the Court)
- Attachments (if any) Example: bill of sale, title, photographs, etc. The replevin complaint should include a complete accurate description of the property sought (provide the original for the Court)
- Replevin Order to Show Cause (provide the original for the Court)
- Replevin Summons/Notice to Appear (provide the original for the Court) OR Request for Clerk to Prepare and Issue Summons
- Affidavit For Restraining Order & Restraining Order (provide the original for the Court). Use only for individuals, not applicable for business or corporation.

Forms to Use during the pendency of the Case as appropriate:

- Request for Alias or Pluries Order to Show Cause & Final Hearing (provide the original for the Court). Use only if the Sheriff's Office cannot locate defendant with the 1st address provided.
- Blank Motion form
- Writ of Replevin
- Notice of Dismissal (provide the original for the Court and mail a copy to each defendant). Use only if you wish to dismiss the case.
- Satisfaction of Judgment (provide the original for the Court and mail a copy to each defendant). Use if money judgment is received and subsequently paid by defendant.
- Case Management Plan
- Case Management Order
- Notice of Final Service

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

CIVIL COVER SHEET COUNTY COURT

I. CASE STYLE

Plaintiff

Vs. _____ Case No. _____

Defendant(s)

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim rounded to the nearest dollar

\$

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

- County Replevins Other civil (non-monetary)
- Civil (\$8,001 to \$15,000) Evictions

IV. REMEDIES SOUGHT (check all that apply):

monetary (rent or other damages); nonmonetary declaratory or injunctive relief (possession)

V. NUMBER OF CAUSES OF ACTION: 1 (just possession); 2 (Also claiming money damages)

(specify) _____ Possession of Premises
_____ Money Damages for rent or other damages

VI. IS THIS ACTION 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 _____

Date: _____

Attorney or party (type or print name)

Fla. Bar # _____

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

Plaintiff

Vs.

Case No. _____

Defendant(s)

**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 hereof has been furnished to: {insert defendant name and address}

by hand delivery, mail, fax and mail, or email on this _____ day of _____, 20____.

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

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

Vs.

Case No. _____

Defendant(s)

**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 hereof has been furnished to: {insert defendant name and address}

by hand delivery, mail, fax and mail, or email on this ____ day of _____, 20__.

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

Vs.

Case No. _____

Defendant(s)

**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 to: {insert defendant name and address}

by hand delivery, mail, fax and mail, or email on this _____ day of _____, 20____.

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

Vs.

Case No. _____

Defendant(s)

REPLEVIN COMPLAINT

PLAINTIFF(S) SUES DEFENDANT(S) AND ALLEGES:

1. This is an action to recover possession of personal property in Santa Rosa County, Florida.
2. *The description of the property is:*

To the best of plaintiff's knowledge, information, and belief, the value of the property is :
\$ _____

3. Plaintiff(s) is/are entitled to the possession of the property under a security agreement dated _____, 20____, a copy of the agreement being attached.

4. To plaintiff's best knowledge, information, and belief, the property is located at

5. The property is wrongfully detained by defendant(s). Defendant(s) came into possession of the property by (method of possession)

To Plaintiff's best knowledge, information, and belief, defendant(s) detains the property because (give reasons)

6. The property has not been taken for any tax, assessment, or fine pursuant to law.

7. The property has not been taken under an execution or attachment against plaintiff's property.

WHEREFORE PLAINTIFF(S) demands judgment for possession of the property.

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

Sworn to and subscribed before me on _____ {insert date}.

SANTA ROSA CLERK OF COUNTY COURTS,

BY: DEPUTY CLERK

OR

NOTARY

NOTICE: THIS DOCUMENT REQUIRES AN OFFICIAL COURT SUMMONS WITH SIGNATURE AND THE OFFICIAL COURT SEAL AFFIXED THERETO

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

Plaintiff

Vs.

Case No. _____

Defendant(s)

REPLEVIN ORDER TO SHOW CAUSE

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to serve this order on defendant, _____, by personal service as provided by law, if possible, or, if you are unable to personally serve defendant within the time specified, by placing a copy of this order with a copy of the summons on the claimed property located at {insert address of property} _____,

_____ Santa Rosa County, Florida, at least five (5) days before the hearing scheduled below, excluding the day of service and intermediate Saturdays, Sundays, and legal holidays.

Non-personal service as provided in this order shall be effective to afford notice to defendant of this order, but for no other purpose.

Defendant shall show cause before the Honorable Judge _____ on _____ at _____ A.M. /P.M. in the SANTA ROSA COUNTY COURTHOUSE, located at 4025 Avalon Blvd., in Judge's chambers at Milton, Florida 32583, why the property claimed by plaintiff in the complaint filed in this action should not be taken from the possession of defendant and delivered to plaintiff.

Defendant may file affidavits, appear personally or with an attorney and present testimony at the time of the hearing, or, on a finding by the court pursuant to section 78.067(2), Florida Statutes (1979), that plaintiff is entitled to possession of the property described in the complaint pending final adjudication of the claims of the parties, file with the court a written undertaking executed by a surety approved by the court in an amount equal to the value of the property to stay an order authorizing the delivery of the property to plaintiff.

If defendant fails to appear as ordered, defendant shall be deemed to have waived the right to a hearing. The court may thereupon order the clerk to issue a writ of replevin.

ORDERED at Milton, Santa Rosa County, Florida, on {insert date} _____

COUNTY COURT JUDGE

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

Vs.

Case No. _____

Defendant(s)

REPLEVIN SUMMONS / NOTICE TO APPEAR

THE STATE OF FLORIDA to defendant(s):

You are notified that the above-named Plaintiff has filed a Replevin Complaint against you for wrongfully withholding property of the value of \$_____ as shown by the Replevin complaint, with court costs, and you are required to appear in person or by attorney at the Santa Rosa County Courthouse, 4025 Avalon Blvd. Milton, Florida 32583, in the chambers of Honorable Judge _____, on _____, 20____, at _____ AM / PM CST for an Order to Show Cause Hearing. If you fail to appear on that date, in person or by attorney, a Judgment for Replevin will be entered against you and Writ of Replevin issued.

Please dress appropriately: no shorts, tank tops, halter tops or flip-flops!

Dated at Milton, Santa Rosa County, Florida, on _____

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

Plaintiff

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 a Replevin summons on the defendant

The service address for defendant is _____

{insert the address}

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

Vs. Case No. _____

Defendant(s)

AFFIDAVIT FOR RESTRAINING ORDER

Before me, the undersigned authority, duly authorized to administer oaths and take acknowledgments in the state and county aforesaid, personally appeared.

_____ who having been sworn and cautioned upon his oath, deposes, and says:

1. He is the plaintiff in the above-entitled cause.
2. Upon his personal knowledge he has reason to believe and does believe that the property which is the subject of this action is in danger of destruction, concealment, removal from the state, removal from the jurisdiction of this Court, or transfer to an innocent purchaser because _____

FURTHER AFFIDAVIT SAYETH NOT.

Plaintiff's Signature _____

Sworn to and subscribed before me on _____ {insert date}.

SANTA ROSA COUNTY CLERK OF COUNTY COURTS,

By: _____

DEPUTY CLERK OR NOTARY

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

Plaintiff

Vs.

Case No. _____

Defendant(s)

RESTRAINING ORDER

The Plaintiff having made affidavit that reasonably tends to establish that defendant(s) engaging in conduct that will place the property claimed in this cause in danger of destruction, concealment, removal from the state, removal from the jurisdiction of this Court, or transfer the same to an innocent purchaser it is.

ORDERED AND ADJUDGED that defendant is prohibited from doing any such acts pending notice of, and hearing on, the SHOW CAUSE ORDER herein before made.

DONE and ORDERED at Milton, Santa Rosa County, Florida

On _____ {insert date}.

COUNTY JUDGE

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

Plaintiff

Vs. Case No. _____

Defendant(s)

**REQUEST FOR ALIAS OR PLURIES ORDER TO SHOW CAUSE
& REPLEVIN FINAL HEARING**

I hereby request the Clerk of the Court to issue an Alias or Pluries Order to Show Cause and Replevin Final Hearing to be served on the Defendant, _____

at the following address: _____

_____ and forward to the Sheriff for service or process server for service.

Dated on _____ {insert date}.

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

Vs. Case No. _____

Defendant(s)

NOTICE OF VOLUNTARY DISMISSAL OF REPLEVIN

Comes now, _____ and gives notice that this cause is hereby voluntarily dismissed.

Date: _____

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to: {insert defendant name and address }

by hand delivery, mail, fax and mail, or email on this _____ day of _____, 20____.

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

Vs. Case No. _____

Defendant(s)

SATISFACTION OF JUDGMENT

The undersigned, the owner and holder of that certain Final Judgment rendered in the above captioned civil action, dated _____ and recorded in Santa Rosa County, Florida in Official Records Book _____, Page _____, does hereby acknowledge that all sums due under it have been fully paid and that said Final Judgment is hereby satisfied and is canceled and satisfied of record.

Dated this _____ day of _____, 20____.

Plaintiff Signature

Printed Name

STATE OF FLORIDA

COUNTY OF SANTA ROSA

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____, who is personally known to me or produced _____ as identification, and who did take an oath.

Deputy Clerk

OR

Notary Public

BLANK MOTION FORM

This replevin packet is as a self-help guide only and does not contain forms or instructions for more complex instances that might arise during a replevin proceeding. Should there arise an instance that is not covered in this packet our recommendation is for the plaintiff to seek the consultation of a qualified legal expert.

If the plaintiff desires or needs to file a motion or pleading with the Court that this packet does not have a form for; utilizing the blank motion form, they may create that motion or pleading.

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

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to: {insert defendant name and address}

by hand delivery, mail, fax and mail, or email on this _____ day of _____, 20____.

Signature: _____

Printed Name: _____

E-mail Address: _____

Address: _____

Phone Number: _____

Form to Use After the Hearing Before the Judge

At the hearing the Judge will listen to both sides, review the evidence and determine who will have possession of the property. Should the Judge rule for the plaintiff, an order or final judgment authorizing a writ of replevin to be issued by the clerk, will be signed by the Judge.

Once you have received by email that order or final judgment authorizing such, complete the writ of replevin and deliver to the Clerk's office for execution.

Complete the writ of replevin legibly and accurately. The clerk is not responsible for errors in the plaintiff prepared writ of replevin.

If you prepare the writ of replevin the clerk will charge \$2.00 to execute and seal the writ of replevin.

If you elect to have the clerk prepare and execute the writ of replevin the fee is \$ 9.00.

The executed and Court sealed writ of replevin must be served by the Sheriff. The cost for this service will be \$90.00 made payable to the Santa Rosa County Sheriff's Office by cashier's check, order money or business check. The Sheriff's Offices does not accept personal checks.

The plaintiff may take the issued writ of replevin to the sheriff's office with their required fee, or the plaintiff may elect to leave the \$90.00 with the clerk's office, along with the issued writ of replevin, 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.

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

Plaintiff,

Vs.

CASE NO. _____

Defendant,

WRIT OF REPLEVIN

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

YOU ARE COMMANDED, to replevy the goods and chattels in possession of the Defendant
_____ described as

follows: _____

and to dispose of it according to law.

SANTA ROSA COUNTY CLERK OF COUNTY COURTS,

BY DEPUTY CLERK

On _____

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**

XXXXXXXXXXXXXXXXXXXXX,
Plaintiff,
v.
XXXXXXXXXXXXXXXXXXXXX,
Defendant.

Case No.: XXXXXX
Division:

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

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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):

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- 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

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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 OF THE FIRST JUDICIAL CIRCUIT
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	<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 OF THE FIRST JUDICIAL CIRCUIT
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**

*(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