

## NOTICE REGARDING REQUESTS FOR TELEPHONIC APPEARANCE

Pursuant to Rule 2.530(b), Florida Rules of Judicial Administration, the judge may, upon the court's own motion or upon the written request of a party, direct that the telephone be used for a motion hearing, pretrial conference, or a status conference. However, due to trial scheduling issues, telephone appearances will not be permitted for pretrial conferences.

Rule 2.530(c), Florida Rules of Judicial Administration, requires the requesting party make a written request with notice to all other parties. Reasonable notice must be provided to all parties so that the judge will be able to make an appropriate and timely decision after considering a timely objection.

If counsel (a member of the Florida Bar) is willing to certify in writing that all other parties have been consulted and have no objection **AND** counsel is willing to certify that the hearing will not exceed 15 minutes, a Notice of Hearing may be submitted without a separate motion. The Notice of Hearing must contain the written certifications. A proposed Order is not required.

If there is no agreement **OR** if the hearing exceeds 15 minutes, the written request must be in the form of a separate Motion. A copy of the motion must be provided to all opposing counsel and/or pro se opposing party. The motion must set forth that opposing counsel or pro se party should provide any objection to the request in writing to the Court within ten (10) days. A proposed Order is required.

In the event the Motion is granted, the requesting party is responsible for placing the call at the time permitted. In the event the requesting party does not telephone, the nonappearance will be treated the same as if the party had failed to appear in person. Note that there is a separately-established procedure for summary judgment hearings on foreclosure cases as set forth below.

## SUMMARY JUDGMENT HEARINGS IN FORECLOSURE CASES

Counsel may appear by telephone in summary judgment hearings for foreclosure cases. The Court is authorizing this appearance by telephone because multiple hearings are scheduled in the same block, and oftentimes the defendants choose not to appear at said hearings. This Notice is intended to serve as the notice pursuant to Rule 2.530(b), Fla. R. Jud. Admin. Any objecting party must notify the court in writing prior to the scheduled hearing. If the Court deems the objection provides good cause to require that counsel appear in person, the Court will notify counsel to appear. Further, if the only opposing party is a pro se Defendant, the judicial assistant will place the call to the Plaintiff's counsel if the pro se Defendant appears such that counsel is not required to initiate the call when a pro se defendant chooses not to appear. Of course, Plaintiff's counsel must provide an accurate number and name on the Notice of Hearing, and counsel is required to be available to receive the call during the time block indicated.

Plaintiff's summary judgment packages, without original documents, should be forwarded to the judge's office no less than ten days prior to the hearing. All original documents should be filed with the Clerk of Courts. All information provided to the judge's office must be complete and forwarded together, along with a copy of the Affidavit of Compliance as described in Administrative Order No. 3-29.1.

The Clerk of Courts will schedule the sale date as directed by the Court's order upon receipt of the Court's order.