

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

Local Rule No. 4*

IN RE: UNIFORM MOTION CALENDAR AND
SPECIALLY SET HEARINGS

Pursuant to the authority conferred by Rule 2.215(e), Fla. R. Jud. Admin., it is **ORDERED**
as follows:

1. Circuit and **County Court** judges in each division shall conduct a **Uniform Motion Calendar** on days and at a time specified by the judges of the division.
2. Prior to **filing and serving a Notice of Hearing for a Uniform Motion Calendar hearing or a specially set hearing**, the attorney noticing the motion for hearing shall attempt to resolve the matter and shall certify the good faith attempt to resolve.¹
3. The term "attempt to resolve the matter" in paragraph 2 shall require counsel to make reasonable efforts to speak to one another (in person or via telephone) and engage in reasonable compromises in a genuine effort to resolve or narrow the disputes before seeking Court intervention.² All parties are to act courteously and professionally in the attempted resolution of the disputes prior to **filing and serving a Notice of Hearing including responding timely to counsel who initiated the attempt to resolve the matter.**
4. All notices of hearings for matters scheduled on the Uniform Motion Calendar **or on a special setting** shall set forth directly above the signature block, the below certifications without modification and shall designate with a check mark or other marking the specific certification(s) that apply:

¹ The requirements of this rule do not apply when the moving party or non-moving party is pro se.

² The requirements of this rule do not preclude the use of e-mail or other written communication in an effort to resolve a pending motion. Compliance with this rule, including "making reasonable efforts to speak to one another" in person or by telephone before filing and serving a Notice of Hearing is required when e-mail or other written communication efforts are unsuccessful.

_____ *Movant's attorney has spoken in person or by telephone with the attorney(s) for all parties who may be affected by the relief sought in the motion in a good faith effort to resolve or narrow the issues raised.*

_____ *Movant's attorney has attempted to speak in person or by telephone with the attorney(s) for all parties who may be affected by the relief sought in the motion.*

_____ *One or more of the parties who may be affected by the motion are self represented.*

5. Failure to make a good faith attempt at resolving the issues may, in the Court's discretion, result in the motion being stricken from the Uniform Motion Calendar **or specially set hearing** and/or the imposition of sanctions. The Court may waive the good faith attempt at resolving the issues in appropriate circumstances.
6. **The attorney attending the hearing on behalf of the movant, as well as any attorney who is covering the hearing for another attorney, shall be prepared to specify to the Court the efforts made to confer when the parties' attorneys have not spoken.**
7. To the extent **reasonable**, the **movant's attorney** shall advise the Court in advance of the hearing of cancellation, or resolution of some or all of the issues raised by the motion.
8. **On Uniform Motion Calendar**, hearings shall be limited to ten minutes per case. If two parties, each side shall be allotted five minutes. If more than two parties, the time shall be allocated by the Court. The ten-minute time limitation shall include the time necessary for the Court to review documents, memoranda, case authority, etc.
9. The moving party must furnish the Court with a copy of the motion to be heard together with a copy of the notice of hearing. Also, all parties shall furnish the Court with copies of all **relevant** documents, pleadings and case authority which they wish the Court to consider.
10. Except in the criminal division, counsel shall not make appointments with the Court's judicial assistant but shall **file and serve** opposing counsel **with a Notice of Hearing** pursuant to the applicable rules of procedure, and the Standards of Professional Courtesy and Civility (**the "Standards"**), which have been endorsed by the judges of the Fifteenth Judicial Circuit. **The Standards are available on the Fifteenth Judicial Circuit and the Palm Beach County Bar Association websites.**
11. The cases **will be called** for hearing in the order in which **the parties' attorneys** signed up on the sheet posted outside the hearing room. Failure of any party to appear at the time set for the commencement of the calendar shall not prevent a party from proceeding with the hearing. If a party called for hearing chooses to wait for an absent party, the matter will be passed over but shall retain its position on that day's calendar.

DONE and **SIGNED** in Chambers at West Palm Beach, Palm Beach County, Florida, this ____
____ day of _____, 2017.

Jeffrey J. Colbath
Chief Judge

*Further amends the amendments to Local Rule 4 approved in 2015. Amendments (in bold)
approved by the Supreme Court of Florida, _____, _____.

DRAFT - 2/08/17