



Pam Vergara
CIRCUIT COURT JUDGE
FIFTH JUDICIAL CIRCUIT of FLORIDA
Hernando County Courthouse
Room 335
20 N. Main Street
Brooksville, FL 34601

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
HERNANDO COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER ESTABLISHING
CIRCUIT COURT CIVIL COURT GUIDELINES
AS TO "MEET AND CONFER"
FOR THE HONORABLE PAM VERGARA
CIRCUIT CIVIL DIVISION
Effective January 5th, 2021**

In order to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, standardized procedures and manners of communication between the parties and the court best serve the interests of those that come before the court, preserve valuable judicial resources and prevent confusion and delay; and in the interest of judicial economy and promotion of the prompt and efficient administration of justice, parties are directed to the 5th Circuit website (circuit5.org, Judge Vergara's link).

A mandatory meet and confer process is hereby established, as set forth below, for all motions to be set for hearing in the circuit civil division and to occur before scheduling the

hearing except for the following motions: injunctive relief without notice; judgment on the pleadings; summary judgment; or to permit maintenance of a class action.

Counsel with full authority to resolve the matter shall confer *before* scheduling the hearing on the motion to attempt to resolve or otherwise narrow the issues raised in the motion, and include a Certificate of Compliance (attached hereto as "Exhibit A") that the conference has occurred in the Notice of Hearing filed with the court. It shall be the responsibility of counsel who schedules the hearing to arrange the conference with the Judicial Assistant.

The term "confer" requires a substantive conversation in person or by telephone in a good faith effort to resolve the motion without the need to schedule a hearing, and does not envision an exchange of ultimatums by fax, e-mail or letter. Counsel who merely attempt to confer have not conferred for purposes of this Order.

Counsel must respond promptly to inquiries and communications from opposing counsel who notices the hearing and is attempting to schedule the conference. If counsel who notices the hearing is unable to reach opposing counsel to conduct the conference after three (3) good faith attempts, counsel who notices the hearing must identify in the Certificate of Compliance the dates and times of the efforts made to contact opposing counsel.

Counsel shall include in the Notice of Hearing the Certificate of Compliance certifying that the meet and confer occurred (or did not occur and setting out the good faith attempts to schedule the conference) and identifying the date of the conference, the names of the participating attorneys, and the specific results obtained.

Counsel who notices the hearing shall ensure that the court and the Court's Judicial Assistant are aware of any narrowing of the issues or other resolution as a result of the conference.

Counsel is required to provide the Court (and opposing Counsel) with courtesy copies of any memoranda, case law or any other materials on which counsel may rely at a scheduled hearing at least three (3) court days before the scheduled hearing. Hand delivery is preferable.

In the event that party seeks to cancel a previously scheduled hearing, the party must

immediately inform the judge's judicial assistant and file a notice of cancellation.

DONE AND ORDERED, in Chambers, Brooksville, Hernando County this 5th day of
January, 2021.


Pam Vergara, Circuit Judge

"Exhibit A"

First Option

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that a lawyer in my firm with full authority to resolve this matter had a substantive conversation in person or by telephone with opposing counsel in a good faith effort to resolve this motion before the motion was noticed for hearing but the parties were unable to reach an agreement.

Counsel for the party who noticed
the matter for hearing.

Second Option

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that a lawyer in my firm with full authority to resolve this matter attempted in good faith to contact opposing counsel in person or by telephone on:

1. (Date) at (Time)
2. (Date) at (Time)
3. (Date) at (Time)

to discuss resolution of this motion without a hearing and the lawyer in my firm was unable to speak with opposing counsel.

Counsel for the party who noticed
the matter for hearing