

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT, IN
AND FOR MARION COUNTY, FLORIDA**

AMENDED ADMINISTRATIVE ORDER: M-2022-31-A

**REGARDING MARION COUNTY COURT SMALL CLAIMS PRETRIAL
CONFERENCES**

WHEREAS, Florida Rules of General Practice and Judicial Administration 2.215(a) fixes administrative responsibility for ensuring the efficient and proper administration of all courts within the circuit in the Chief Judge of the Fifth Judicial Circuit, and other judges he may designate; and

WHEREAS, pursuant to Florida Rules of General Practice and Judicial Administration 2.215(b)(5) and by Administrative Order, the Chief Judge designated the undersigned judge as Administrative Judge for Marion County, and has ordered that all administrative oversight of the County Courts in Marion County will be provided by the Administrative Judge of Marion County; and

WHEREAS, Florida Small Claims Rules 7.090(a) requires the plaintiff and defendant to appear for a pretrial conference where, *inter alia*, the possibility of obtaining admissions of fact and the possibility of settlement shall be considered; and

WHEREAS, it is deemed necessary and appropriate for the prompt, effective, and efficient progression of all small claims cases to adopt uniform policies and procedures in Marion County;

It is, therefore, **ORDERED** as follows:

1. All parties shall appear, **in person**, either personally or through counsel for the pretrial conference scheduled in their case.
2. All cases scheduled for pretrial conference shall be called, including those cases in which defendant(s) have not been served process.
3. If a defendant has not been served with process for the small

claims pretrial conference, the judge may continue the pretrial conference two times, but if the defendant has not been served by third scheduled date of the small claims pretrial conference, the judge shall dismiss the case without prejudice to refile.

4. If parties are unable to resolve their cases at the pretrial conference, the parties shall be referred to mediation, which will occur as part of the pretrial conference; therefore, ALL plaintiffs, defendants, or their representatives appearing for pretrial conference must have full settlement authority.

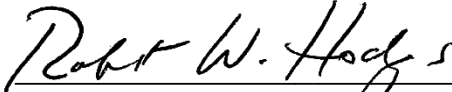
5. Once mediation has been conducted, paperwork will be completed at that time and, if an agreement has been reached, the stipulation shall be signed by both parties.

6. All attorneys are limited to appearing in no more than 20 cases in which the defendant has been served. There is no limitation on the number of cases in which an attorney may appear where the defendant has not been served.

7. All attorneys shall provide a list of cases in which they are appearing by the close of business on the day before the scheduled pretrial conference to marionsmallclaims@circuit5.org. Said list must indicate whether a case is served or non-served.

8. This Order shall take effect immediately and will remain in effect unless amended by Administrative Order.

DONE and **ORDERED** in Chambers at Ocala, Marion County, Florida this 11th day of October 2022.



ROBERT W. HODGES
Administrative Judge
Marion County