

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

ADMINISTRATIVE ORDER: 3.314-3/14

IN RE: TIMELY RESOLUTION OF MOTIONS
IN FORECLOSURE DIVISION "AW"

Florida Rules of Judicial Administration 2.545 provides that judges and lawyers have a professional obligation to conclude litigation as soon as it is reasonably and justly possible to do so. Trial judges are to take charge of all cases at an early stage and are to control the process of the case. Florida Rule of Judicial Administration 2.250 provides that non-jury civil cases should take twelve (12) months from the filing to final disposition. Florida Rule of Judicial Administration 2.515 provides that a signature of an attorney shall constitute a certificate by the attorney that to the best of the attorney's knowledge, information and belief there is good grounds to support the court filing and that the court filing is not interposed for delay. Pending Motions to Dismiss or Motions for Extension of Time prevent cases from being at issue and set for trial. Motions which have not been timely set for hearing may be deemed abandoned. See Department of Revenue v. Keidaisch, 670 So. 2d 1058 (Fla. 2d DCA 1996). The compelling interest of efficient and effective case management requires that these motions be timely set for hearing.

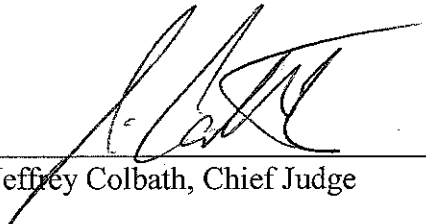
NOW, THEREFORE, pursuant to the authority conferred by Florida Rule of Judicial Administration 2.215, it is **ORDERED** as follows:

1. Within five (5) business days from the filing of a Motion to Dismiss, a Motion for Extension of Time which seeks additional time to respond to a complaint, counterclaim, cross-claim or third party claim, a Motion to Quash, or other motion which prevents a matter filed in the foreclosure division from being at issue, the party filing the motion must set and notice the matter for hearing on the earliest available Division AW Uniform Motion Calendar docket or, for motions requiring more than 10 minutes of hearing time, on Division AW's Special Set Hearing docket utilizing the online calendaring system.
2. Motions to Dismiss, Motions for Extension of Time which seek additional time to respond to a complaint, counterclaim, cross-claim or third party claim, Motions to Quash, and other motions which prevent a matter from being at issue filed in the foreclosure division and which have not been heard by the Court within sixty (60) days from filing, will be considered by the Court as having been abandoned by the moving party and such motion will be deemed denied, with or without a court order. Once a motion has been considered abandoned and denied, the opposing party may seek such relief as may be appropriate, including a judicial default.

3. Emergency Motions, Motions for Rehearing or Reconsideration, and other motions that may be heard on an ex parte basis shall be submitted to the Administrative Judge of the Foreclosure Division so that the matter can be scheduled for hearing, appropriate ex parte orders can be entered, or any other necessary action can be taken.

DONE and SIGNED in Chambers at West Palm Beach, Palm Beach County, Florida, this

13 day of March, 2014.



Jeffrey Colbath, Chief Judge