

IN THE COUNTY COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR
INDIAN RIVER COUNTY

IN RE:

Uniform Motion Calendar and Ex Parte Orders to Enforce
Discovery in the Indian River County Courts

1. The Indian River County Judges establish, maintain, and enforce a Uniform Motion Calendar, and a procedure to enter Ex Parte order enforcing discovery.
2. A Uniform Motion Calendar will be scheduled for Thursday at 2:30 p.m. in either Courtroom 2 or 3, depending on which County Judge is hearing motions that particular week.
 - A. When this procedure provides for sending an email to the presiding Judge, the party or attorney shall send the email to IRCJudge@Circuit19.org. The subject line of the email shall include the name of the Judge assigned to the case.
 - B. Prior to setting a matter on the Uniform Motion Calendar, the party or attorney noticing the motion shall attempt to resolve the matter and shall certify the good faith attempt to resolve in the notice of hearing.
 - C. Hearings are strictly limited to ten (10) minutes per case. If two parties, each side is allowed five (5) minutes; if more than two (2) parties, time will be allocated by the Judge. The time limitation shall include the time necessary for the Judge to review documents, memorandums and cases.
 - D. The moving party shall furnish to the presiding Judge, by email at least 3 days before the hearing, a copy of the motion to be heard and the notice of hearing. All parties shall also furnish to the Judge copies of all documents, pleadings or citations which they desire the Judge to consider at least 3 days before the hearing.
 - E. Counsel shall not schedule motions on the Uniform Motion Calendar with the Judge's Judicial Assistant, but shall send written notice and a copy of the motion to opposing counsel (or parties if unrepresented) in accordance with the applicable rules of procedure and email a copy of the notice to the presiding judge at least 3 days before the hearing.
 - F. Any party requesting relief shall send a proposed order in Word format by email to the presiding judge at least 3 days before the hearing.
 - G. Failure of any party to appear shall not prevent a party from proceeding with a hearing when the case is called.
 - H. Any party wishing to appear by phone at the hearing may do so without Court Order. The party shall make arrangements through Court Call and provide the Court Call information to the Court by email at least 3 days before the hearing.
 - I. No testimony shall be allowed at Uniform Motion Calendars.
 - J. The presiding Judge has absolute discretion in the administration of the Uniform Motion Calendar.
 - K. Failure to comply with procedure designated in this Order may result in the hearing be stricken from the docket.

3. When a motion to compel alleges a complete failure to respond or object to discovery, and there has been no request for extension, an Ex Parte order may be entered requiring compliance with the original discovery demand within ten (10) days of signing the order. The movant shall submit the proposed order in Word format by email to the presiding judge and shall also certify the notice of the requested relief was provided to the opposing counsel.