

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
IN AND FOR MARTIN COUNTY, STATE OF FLORIDA**

IN RE:

CASE NO. 4320 \_\_\_\_\_ DR \_\_\_\_\_  
JUDGE: SHERWOOD BAUER, JR.

\_\_\_\_\_  
Petitioner,  
and

(All requirements shall be followed)

\_\_\_\_\_  
Respondent.

**SAMPLE FOR REFERENCE**

**ORDER FROM CASE MANAGEMENT CONFERENCE**

THIS MATTER came before the Court upon a notice that the matter was ready for trial and a hearing held on \_\_\_\_\_, 20\_\_ at which time a Case Management Conference was held. The following is ordered:

IT IS HEREBY ORDERED THAT:

All counsel and pro se parties must comply with the requirements of this order; however Petitioner (counsel) must initiate the procedure for compliance.

**TRIAL DATE**

Final hearing is set on \_\_\_\_\_, at \_\_\_\_\_ o'clock A.M. \_\_\_\_\_ hours / day(s) is/are reserved for trial. A day consists of 6 hours, 9-12 and 1:30-4:30. This includes presentation of both sides of the case. The parties and attorneys are ordered to be present. Failure to timely appear will result in a default judgment or a dismissal will be entered.

**MEDIATION**

The parties are not *required* to mediate again, **if** they have completed mediation within 60 days of this order. If they have not completed mediation within 60 days of this order, the parties shall attend and complete mediation within 60 days of this order through Private Mediation or Circuit 19 Mediation Program (if qualified). The cost of mediation shall be split equally by the parties.

**DISCLOSURE OF WITNESSES**

The names and addresses of all potential **fact and/or expert** witnesses, along with the nature of their expertise, and a brief statement of the opinion testimony that may be offered, must be **disclosed in writing** to all opposing parties and a copy filed in the court file at least 30 days before the trial date. Expert witnesses, or mental health experts, must create **reports** at least 45 days before the trial date, a copy must also be provided to the opposing party at least 30 days before the trial date. All expert witnesses must be made available for depositions prior to the discovery cutoff date or they will not be permitted to testify, absent good cause shown.

## DISCOVERY AND REQUIRED FILINGS

All discovery must be completed at least 20 days before the trial date, absent agreement for later discovery specifically stated in the joint pre-trial statement, or by order of the Court for good cause shown. If any there are any financial issues for trial, the parties must each file an updated financial affidavit within 30 days of the trial date.

### PRE-TRIAL MEETING

Counsel for all parties, including pro se parties, must communicate directly at least 10 days prior to the trial date to:

- a. Discuss settlement.
- b. Stipulate to as many facts and issues as possible.
- c. Prepare a pre-trial statement in accordance with this order.
- d. Examine all exhibits and documents which may be offered into evidence.
- e. Counsel must make available to opposing counsel and pro se parties, those portions of depositions they intend to introduce at trial in lieu of live testimony, and opposing counsel and pro se parties must note in the pre-trial statement all objections which require resolution by the Court.

### PRE-TRIAL STATEMENT

**Please review the requirements for the pre-trial statement for all matters and, if this is a dissolution of marriage matter, also use the pretrial form on website for Judge Bauer:**  
[www.circuit19.org](http://www.circuit19.org)

### A TIMELY PRE-TRIAL STATEMENT MUST BE FILED IN ALL MATTERS

**ONLY IN CASES IN WHICH THERE IS ONE OR MORE PRO SE PARTIES:** If for any reason a joint pre-trial statement is not timely executed by all counsel and pro se parties, each counsel and each pro se party must file and serve separate pre-trial statements with a statement of why the joint statement was not executed. Each party will have two (2) days from receipt of the other party's unilateral trial statement to make specific objections to each exhibit, including the basis of the objection. **Failure to object within that time will constitute a waiver to the admissibility of those exhibits.**

### QUESTIONS OF LAW

At least Five (5) days before trial, counsel for the parties may provide the Court with a memorandum of law, addressing any legal issues which may reasonably be anticipated to arise during the trial. Copies of legal authority are appreciated, but not required. A failure to file the memorandum or law in a timely manner will result in the Court not considering the information. Clearly stated, if the Court receives a "binder" or memorandum of law inside of Five (5) days before trial it will not be reviewed or considered or read by the Court.

## PROPOSED FINAL JUDGMENTS (OR POST-TRIAL STATEMENT)

Should this case proceed to trial, the Court will issue judgment promptly. Therefore, should the parties desire to submit proposed final judgments for the Court's consideration, they should submit them directly to the Court and file with the Clerk of Court within 48 hours of the Court recessing on the case. If the matter was a dissolution of marriage matter, the parties shall use the Post-Trial Statement Form available on the website [www.circuit19.org](http://www.circuit19.org). Failure to submit in a timely manner will result in the Court not considering the proposed final judgment. Please also provide digital copies in **Microsoft Word** format.

### COURT REPORTER

In absence of agreement otherwise, the Petitioner (person seeking relief) is required to retain a court reporter for trial. Failure to provide a transcript for an appeal is likely to prevent a successful appeal. Failure to provide a court reporter, unless the parties agree to no record, may be grounds for cancellation of the trial, and may be considered as grounds for sanctions.

### COMPLIANCE REQUIRED

Relief from a provision in the order, or a need for a modification of it, may be requested at a Uniform Motion Calendar hearing. Any failure on the part of any party to act in good faith or failure to comply with this pre-trial order should be reported to the Court by the filing of a "Suggestion of Non-compliance with Case Management/Pre-trial Order" and must be set in a timely manner for a hearing by the reporting party. Uniform Motion Calendar hearings may be used. A copy of the Suggestion of Non-compliance must be served on all counsel/pro se parties and a copy must be sent to the Court. The Court will review the court file prior to trial and if all requirements of this order are not met, the Court may act on its own for a failure to comply, strike the trial and reset the case at the next docket call. Failure to comply with the terms of this Order may also result in the trial proceeding, however sanctions may be imposed, including, but not limited to attorney's fees, costs, striking of the pleadings, striking of witnesses and exhibits, default or dismissal. This Order will be strictly enforced as a means to maintain judicial efficiency in the face of an ever-rising number of family law cases filed in this state.

### CASE DISPOSITIONS

If at any time after the entry of this order, this case is dismissed, or results in a completed settlement, **counsel must immediately notify this Court's Judicial Assistant to remove the case from the trial date.** Due to the volume of cases pending, counsel should not assume that the submission of a copy of the dismissal or the settlement paperwork would satisfy this requirement. Counsel must make the notification by telephone or email. Counsel must expeditiously file all paperwork necessary to close the case. The Court's JA email is [Bauerja@circuit19.org](mailto:Bauerja@circuit19.org)

## TIME LIMITATIONS

For all hearings and trials, the time requested (or permitted by the Court) is the time limitation for the matter. The Court will not continue the matter to another time or add time for the matter if the time allotted is insufficient for the conclusion of the matter. Therefore, coordinate and plan the presentation of the case in a manner to ensure that it concludes in a timely manner. The trial days end at 4:30, to give the Court time to announce its ruling, if possible.

DONE AND ORDERED in Marin County, Florida, on this the \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
SHERWOOD BAUER, JR., CIRCUIT JUDGE

Copies efiled to:  
Clerk of Court – Martin County  
Petitioner:  
Respondent:

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding**, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 250 NW Country Club Drive, Suite 217, Port St Lucie, FL 34986 (772) 807-4370 within 7 working days of your receipt of this Order; if you are hearing or voice impaired, call 711

Si una de las partes necesita un interprete para poder participar de la mediación o audiencia, es responsabilidad de tal parte, de traer a la mediación un adulto neutral que hable fluidamente ambos idiomas, Inglés y Español y que tambien tenga la habilidad de traducir en ambos idiomas.

Si gen yon moun ki beswen yon intepret, pou li kapab patisipe nan mediyasyon(negosyasyon). se responsabilite pa li, pou li vini avek yon gran-moun ki kapab pale angle ak kreyol, e ki kon ecri tou le de lang yo.