

IN THE COUNTY COURT
IN AND FOR PALM BEACH COUNTY, FLORIDA
COUNTY CIVIL DIVISION RF

**IN RE: STANDING ORDER
FOR CASES ASSIGNED TO
COUNTY CIVIL DIVISION RF**

To facilitate the speedy and just resolution of cases, to formalize a consistent method for the administration of civil matters, to assist litigants with case management, to ensure the due process rights of all parties, and to enhance uniformity, the Court enters the following standing order with respect to handling of county civil matters before Judge Santo DiGangi presiding over Palm Beach County Civil Division RF. This Order shall control in every case assigned to Division RF, subject to modification by order of the Court.

I. DIVISIONAL INSTRUCTIONS ADOPTED

- a. All parties are directed to comply with Divisional Instructions and to review them **prior to** emailing the Judicial Assistant.

II. DIFFERENTIATED CASE MANAGEMENT (DCM)

- a. All cases, except those exempt from Rule 1.200 (eff. Jan. 1, 2025), are automatically set for a calendar call and trial period, with a DCM/trial order that is entered on the day the case is filed. Plaintiffs are required to serve a copy of the DCM/trial order on all defendants with the complaint and summons. Parties are expected to calendar the deadlines set forth in the DCM order and to have the case ready for trial by the date of calendar call.
- b. Please review [A.O. 3.110](#), which outlines in detail the Civil Differentiated Case Management plan and procedures for the 15th Judicial Circuit. For additional DCM information: [Civil Differentiated Case Management Forms & Orders](#).
- c. All parties are placed on notice that pending matters are subject to being set for an earlier trial period by the Court, upon periodic case management review. *See* Rule 1.440(c) (eff. Jan. 1, 2025).

III. MOTION PRACTICE

- a. **The Judge does not receive notice of most filings.** The Clerk of Court, the e-filing portal, and Division RF are separate entities. The Court is not usually notified when parties e-file documents in a case unless the Court is performing a review of its open files. If a party wants to bring a filing to the Court's attention, **it is the responsibility of that party** to upload a proposed order (if appropriate under Divisional Instructions), set a hearing, or otherwise notify the Court. Similarly, litigants are reminded that filings are unable to be seen by the Court until **docketed**, which may take up to three days.

- b. **Prompt orders are required.** Unless otherwise directed, the prevailing party shall provide the Court with a written order memorializing the Court’s ruling, through online scheduling (OLS/proposed order submission), within **forty-eight (48)** hours of the hearing.
- c. **Responses in Opposition.** All motions and responses in opposition to a motion set for hearing must be filed **and uploaded through e-courtesy** at least **three (3) days** prior to the hearing. Any response that is not timely filed and provided to the Court through e-courtesy may be deemed waived.
- d. **Motions Decided on Written Submissions**

All parties are hereby placed on notice that non-evidentiary motions are subject to the Court ruling on the papers, unless otherwise provided by law. There is “no rule or law [in Florida] that requires a trial court to hear oral argument on a pretrial, non-evidentiary motion.” *Nudel v. Flagstar Bank, FSB*, 52 So. 3d 692, 694 n.3 (Fla. 4th DCA 2010) (citing *Gaspar, Inc. v. Naples Fed. Sav. & Loan Ass’n*, 546 So. 2d 764, 766 (Fla. 5th DCA 1989)). Examples of motions that may be ruled on the papers include, without limitation: Motions to Dismiss, Motions to Compel, Motions to Strike, Motions for Extension, Motions for Continuance, and similar.

Such motions must cite to and strictly comply with the requirements of the applicable rule(s), and the factual grounds and applicable law shall be stated specifically and with particularity. Any motion that does not strictly comply with the governing requirements is subject to denial on the papers as legally insufficient.

1. *Sua Sponte* Ruling By the Court

All parties are hereby noticed that pretrial non-evidentiary motions may be subject to *sua sponte* review and ruling based solely on the papers. Any motion the court deems to be without merit or legally insufficient may be denied without a hearing or opposition. If the motion is subject to being granted or is otherwise legally sufficient, the Court may direct a response and/or set a hearing.

Any non-moving party wishing for the Court to consider its response before ruling shall immediately notify the Court. Further, such party must file and upload, within ten (10) days of service of the motion, a courtesy copy of its response through e-courtesy (when tied to a hearing date) or, if no hearing date, via email to CAD-DivisionRF@pbcgov.org.

2. Upon Request of the Parties

If a moving party seeks a ruling on the papers, the movant must file and serve its motion and supporting materials on the opposing party. Prior to seeking a ruling from the Court, the movant shall simultaneously file a “Request for Court to Adjudicate Motion Based on Written Submissions,” send a courtesy copy to CAD-DivisionRF@pbcgov.org.

DivisionRF@pbcgov.org, and upload a proposed order directing the opposing party to respond within ten (10) days (“Order Directing Response”).

Upon the Court’s issuance of the Order Directing Response, the opposing party shall have ten (10) days to file their response in opposition to the motion. Upon expiration of the 10-day response deadline, and no later than 15 days after issuance of the Order Directing Response, the movant shall upload a **proposed order** through online scheduling with the following attached: the motion, applicable case law (bookmarked and highlighted); the response in opposition, if any; and a cover letter with copy to all counsel of record and pro se parties. The cover letter shall indicate whether the opposing party is submitting a competing order, along with any other pertinent information of which the Judge should be advised.

The Court may, at any time after 15 days after issuance of the Order Directing Response, rule without further notice or hearing. If it is determined that a hearing is necessary, the movant will be directed to schedule a hearing and file the appropriate notice. No motions requiring an evidentiary hearing will be determined without a hearing.

A non-moving party seeking a ruling on the papers may also file a “Request for Court to Adjudicate Motion Based on Written Submissions,” send a courtesy copy to CAD-DivisionRF@pbcgov.org, and upload proposed order on the motion with the attachments specified above.

IV. COMMUNICATIONS WITH THE COURT

- a. All parties must be copied on all communications with the Court, to all email addresses designated in the notice of appearance(s) and email designation form(s), including scheduling requests, proposed orders uploaded through OLS, and cover letters. If an email address is not available for an opposing party, copies of all communications must be simultaneously sent via U.S. mail.

DONE AND ORDERED in Chambers in West Palm Beach, Palm Beach County, Florida.



10/17/2024
Santo DiGangi
County Judge