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08/31/2004 at 11:18 AM, BOB INZER, CLERK OF COURTS

IN THE SECOND JUDICIAL
CIRCUIT OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO: 90-13
(REVISED)

AMENDMENT

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BOB INZER
CLERK OF CIRCUIT COURT
LEON COUNTY, FLORIDA

IN RE: MOTION PRACTICE PROCEDURES

WHEREAS, Section 2(b), of the above referenced Administrative Order, specifies that,"

"Each party opposing any written motion or other application shall serve, within ten (10) working days after being served with such motion or application, a legal memorandum with citation of authorities in opposition to the relief requested" (emphasis added); and

WHEREAS, Rule 1.510 (a), Florida Rules of Civil Procedure states that, "A party... may move for a summary judgement... at any time after the expiration of twenty days...after service of a motion for summary judgement..."(emphasis added); and

WHEREAS, There is a desire to remove the conflict between the above Administrative Order and the Rules of Civil of Procedure; it is therefore

ORDERED THAT:

Section 2(b), of the above referenced Administrative Order should be amended to read as follows:

"(b) Each party opposing any written motion or other application shall serve, within ten (10) working days after being served with such motion or application, a legal memorandum with citation of authorities in opposition to the relief requested. Parties opposing a motion for Summary Judgement shall have twenty days to respond. A rebuttal response may be made within five (5) working days after being served with an opposition memorandum. Failure of a party to respond to a written motion or other application

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GWEN MARSHALL
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may be deemed sufficient cause for granting the motion by default. No other memoranda or writing directed to any such written motion shall be filed or served by any party unless requested by the court."

DONE AND ORDERED in Chambers in Tallahassee, Leon County, Florida this 19th day of July, 1990.

Charles D. McClure
Chief Judge

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