

PROCEDURES FOR RESIDENTIAL MORTGAGE FORECLOSURE HEARINGS
FOR SEMINOLE COUNTY

The following procedures are in effect for all Residential Mortgage Foreclosure cases in Seminole County. All hearings are scheduled on the Judicial Automated Calendaring System, JACS, located on the 18th Circuit Court website, www.flcourts18.org.

- All cases where the residence is owner-occupied and a pleading has been filed by the owner seeking relief must be mediated first before a hearing on a Motion for Summary Judgment can be scheduled (*see Administrative Order 09-09-S*). **No other Motions are allowed to be set with a Motion for Summary Judgment.**

MOTIONS FOR SUMMARY JUDGMENTS will be scheduled on JACS under the Seminole Cnty. Circuit Fore. calendar before the Presiding Judge.

**COUNSEL FOR PLAINTIFF MUST APPEAR IN PERSON AT THE
MOTION FOR SUMMARY JUDGMENT HEARING. NO TELEPHONIC
HEARINGS ARE WILL BE AUTHORIZED**

- It will be the responsibility of the attorney for the Plaintiff to check out from the Clerk's office and bring the court file(s) to the MSJ hearing with the following documents attached to each court file:
 - a. Proposed Final Judgment of Foreclosure
 - b. Sufficient copies of the judgment for each named party along with sufficient pre-addressed stamped envelopes for each party.
 - c. Original and copies of the Notice of Sale.
 - d. Originals and copies of the Certificates of Sale, Disbursements and Title with appropriate pre-addressed stamped envelopes.
 - e. **Complete the below "checklist" reflecting the date of each indicated activity in the court file along with other information indicated thereon.**
- When arriving to the courtroom, it will be the responsibility of the attorney to sign-in on the sign-in sheet. The attorney will retain the court file(s) and checklist(s) until the Judge requests them. Any cases wherein answers have been filed by the main defendant are to be tagged in the Court file.
- The cases will not be called in order of the attorney's arrival but based on the defendants who are present. Attorneys should plan to be available for their hearings for a minimum of one (1) hour from the scheduled time.

ALL OTHER MOTIONS are to be scheduled on JACS before the Judge who is assigned to the case. Please refer to each Judge's policy and procedure manual located on the 18th Circuit Court's homepage for procedures on telephonic hearings and all other requirements.

- Pro se parties representing themselves will need to contact the appropriate Judicial Assistant to schedule their Motions for hearing.

**FAILURE TO COMPLY WITH THESE PROCEDURES WILL RESULT IN
YOUR HEARING BEING CANCELLED**

FORECLOSURE SUMMARY JUDGMENT CHECKLIST

CASE NO.: _____ JUDGE: _____ HEARING DATE: _____

SHORT CASE STYLE: _____ vs. _____

NAMED DEFENDANTS:	Date:	<u>Served</u>	<u>Defaulted</u>	<u>Answered</u>	<u>Dismissed</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

ORDER APPOINTING G.A.L. for: _____ **Date Filed** _____
(Defendant's Name) _____
AFFIDAVIT/ANSWER OF G.A.L. _____
Fee Requested: \$ _____

PLEADINGS FILED:

Notice of Mediation _____
Report of Mediation _____
Motion for Summary Judgment _____
Original Note and Mortgage _____
Notice of Hearing _____
Affidavit of Reasonable Attorney's Fee (expert) _____
\$ _____
Affidavit of Costs \$ _____
Affidavit of Indebtedness/Amt. Owed \$ _____
(Amt due up to the hearing date)
Affidavit of Attorney's Time/Fee: _____
Hours Spent: _____
Fee Per Hour: \$ _____ \$ _____
or _____ or _____
Flat Fee: \$ _____ \$ _____

***TOTAL AMOUNT: \$ _____**

Final Summary Judgment
***TOTAL AMOUNT: \$ _____**

*Both total amounts are to match; checklist is not complete if the numbers do not match