IN THE COUNTY COURT OF THE NINTH JUDICIAL CIRCUIT

IN AND FOR ORANGE COUNTY, FLORIDA

|  |  |
| --- | --- |
| <<PROVIDER\_SUITNAME>>,  a/a/o <<INJUREDPARTY\_NAME>>    Plaintiff,  vs.  <<INSURANCECOMPANY\_SUITNAME>>  Defendant. | Case No. <<INDEXORAAA\_NUMBER>> |

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# SUMMONS:

ORDEN DE COMPARECENCIA:

CITATION:

TO/PARA/A: <<INSURANCECOMPANY\_SUITNAME>>,

Florida Chief Financial Officer as RA, Service of Process Section

P.O. Box 6200, Tallahassee, Florida 32314-6200

# IMPORTANT

A lawsuit has been filed against you. You have 20 calendar days after this summons is served on you to file a written response to the attached complaint/petition with the clerk of this circuit court.

A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the Court to hear your side of the case.

If you do not file your written response on time, you may lose the case, and your wages, money, and property may be taken thereafter without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the Court, you must also serve a copy of your written response on the party serving this summons at:

**Florida Insurance Law Group, LLC**

**8724 Sunset Drive, Suite 260**

**Miami, FL 33173**

If the party serving summons has designated email address(es) for service or is represented by an attorney, you may designate email address(es) for service by or on you. Service must be in accordance with Florida Rule of Judicial Administration 2.516.

Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit

Court's office. You may review these documents, upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and Email Address).

## IMPORTANTE

Usted ha sido demandado legalmente, Tiene veinte (20) dias, contados a Partir del recibo de esta

not ificac ion, para contestar la demanda adjun to, por escrito, y presentarla ante este tribunal. Una llamada telefonica no lo rotegera; si usted desea que el tribunal considere su defensa, debe

presentar su respuesta por escrito , incluyendo el numero del caso y los nombres de las partes interesadas en dicho caso. Si usted no contesta la demanda a tiempo, pudiese perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso de) tribunal. Existen otros requisitos legates, Si lo desea, puede usted consultar a un abogado immediatament. Si no conoce a un abogado, puede Hamar a una de las oficinas de asistencia legal que aparencen en la guia telefonica. Si desa responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante al tribuna l, debera usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiffs Attorney ." (Demandate o Abogado del Demanadante).

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## IMPORTANT

Des poursuites judiciaries ont ete enterprises contre ous. Yous avez 20 jours consecutifts a partir de la date de !' assignation de cette citation pour deposer une reponse ecrite a la plainte ci-jointe aupres de ce Tribunal. Un simple coup de telephone est insuffisant pour vous proteger; vous etes oblige de deposer votre response ecrite , avec mentin du numero de dossier ci-dessus et du nom des paties nommees isi , si vous souhaitez que le Tribunal entende votre cause. Si vous ne deposez pas votre response ecrite dans le relai requi s, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite , sans aucun preavis ulterieur de Tribunal. II y a

d' autres obligations juridiques et vous pouvez reqerir les services immediats d' un avocat. Si vous ne connaissez pas d' avocat, vous pourriez telephoner a un service de reference d' avocats ou a **un** bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de deposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie au carbone ou une photocopie de votre reponse ecrite au "Plaintiff/Plaintiffs Attorney" (Plaignant ou a son avocat) nomme ci-d essous .

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**Miami, FL 33173**

THE STATE OF FLORIDA

TO EACH SHERIFF OF THE STATE: You are commanded to serve this summons and a copy of the complaint in this lawsuit on the above-named person.

TIFFANY M. RUSSELL CLERK OF THE CIRCUIT COURT

By:

Deputy Clerk

ADMI ISTRATIVE ORDER NO. 2009-12-02

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA

**AMENDED ADMINISTRATIVE ORDER GOVERNING**

**FIRST PARTY INSURANCE CLAIMS CASES**

**WHEREAS,** pursuant to Article V, section 2(d) of the Florida Constitution and section 43.26, Florida Statutes, the Chief Judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice· and

**WHEREAS,** pursuant to the Chief Judge's constitutional and statutory responsibility for administrative supervision of the courts within the circuit and considering available resources, to create and maintain an organization capable of effecting the efficient, prompt, and proper administration of justice for the citizens of this State, the Chief Judge is required to exercise direction, *see* Fla. R. Jud. Admin. 2.21S(b)(2), (b)(3); and

**WHEREAS,** it has been officially made known to me that it is necessary to the dispatch of business of the Orange County Court, ninth Judicial Circuit, Florida, that the Court efficiently utilize the services of the Clerk of the Court, the services of the Court' s mediation services, and that the Court refrain from issuing duplicate orders in each applicable individual court case; and

**WHEREAS,** certain cases are routinely filed within the Small Claims Division of the Orange County Civil Court to wit: claims by insureds (or assignees of insureds) against insurers for insurance policy benefits, such as Personal Injury Protection benefits, automobile windshield glass benefits and other property insurance benefits ("First Party Insurance Claims"). In 2019, more than 25,000 First Party Insurance Claim s cases were filed in the Small Claims Division in Orange County; and,

**WHEREAS,** the filing of such cases in the Small Claims Division results in issuance in each case of a Summons notice to Appear pursuant to Rule 7.090, Florida Small Claims Rules, setting a pretrial conference within 50 days from the date of filing of the action and, in the Ninth Judicial Circuit, setting a mediation conference with the Court's mediation services: and

**WHEREAS,** the parties in such First Party Insurance Claims are represented by counsel, the parties typically seek extensive discovery, and, as a result, the trial courts routinely invoke the Florida Rules of Civil Procedure as permitted by Rule 7.020(c), Florida Small Claims Rules, resulting in the entry of individual orders in each case; and

**WHEREAS,** the invocation of the Florida Rules of Civil Procedure uniformly at inception of the case throughout Orange County in First Party Insurance Claims cases promotes judicial economy and efficiency, and avoids unnecessary consumption of pretrial and mediation schedule and other resources;

**NOW, THEREFORE,** I, Donald A. Myers, Jr., m order to facilitate the efficient

operation of the administration of justice, and pursuant to the authority vested in me as Chief Judge of the ninth Judicial Circuit of Florida under Florida Rule of Judicial Administration

2.215 hereby order that, **effective immediately** unless otherwise provided herein, to continue until. further order and superseding any provisions in prior Administrative Orders whi.ch may be inconsistent the following provisions apply to all First Party Insurance Claims cases:

**Florida Rules of Civil Procedure Apply**: The Florida Rules of Civil Procedure are hereby invoked at the time of filing the case for all First Party Insurance Claims cases filed in the mall Claims Division of the Orange County court. (This is a restatement and clarification of the invocation of the Florida Rules of Civil Procedure at the inception of the case contained in Administrative Order 2009-12-01.)

1. **Civil Cover Sheet Addendum:** Effective immediately, for all First Party Insurance Claims cases the plaintiff must file a complaint that specifically states the ninth Judicial Circuit Court Administrative Order 2009- 12 - 0 2 applies. A Civil Cover Sheet County Court Addendum, in the form attached hereto as Exhibit 'A ' shall be filed together with the Complaint.
2. **Summons:** In all First Party Insurance Claims cases appropriately designate under paragraph 2 above, the clerk shall issue a summons consistent with the Florida Rules of Civil Procedure. The Clerk shall not set a mall claims pretrial. conference or small claims mediation in the ca e.
3. The provisions of this Administrative Order may be modified by the trial court in any individual First Party Insurance Claims case.
4. Administrative Order 2009-12-01 is vacated and set aside except to the extent that it has been incorporated and/or amended herein. Vacating an Administrative Order that vacate a prior Order does not revive the prior Order.

**DONE AND ORDERED** at Orlando, Florida, this ***8*** day of September 2020.

Diagram

Description automatically generated

Copies to:

Clerk of Courts Orange County Clerk of Courts Osceola County General E-Mail. Distribution List [http://www.ninthcircuit.org](http://www.ninthcircuit.org/)

**EXHIBIT ''A''**

[CIVIL COVER SHEET COUNTY COURT ADDE DUM]

CIVIL COVER SHEET COUNTY COURT ADDENDUM

PARTY OR ATTORNEY FILING ACTION MUST SELECT WHICH APPLIES

Cases Subject to Administrative Order 2009-12-02 - Order Governing Small Claims First Party Insurance Claims Cases. The designations set out below shall guide the parties and the Court in the assignment of cases subject to Administrative Order 2009-12-02.

COUNTY CIVIL Small Claims

Other civil (small claims Personal Injury Protection)

Other civil (automobile glass insurance claims cases)

**X** Other civil (other claim for first party insurance benefits)

### *NOTE:* A copy of the Civil Cover Sheet and this Addendum must be served with the Complaint for all small claims First Party Insurance Claims cases.