

**IN THE CIRCUIT COURT OF THE
TENTH JUDICIAL CIRCUIT, IN AND
FOR POLK COUNTY, FLORIDA**

ADMINISTRATIVE ORDER NO. 3-37.0

CANCELLATION OF PRETRIAL CONFERENCES IN SMALL CLAIMS CASES

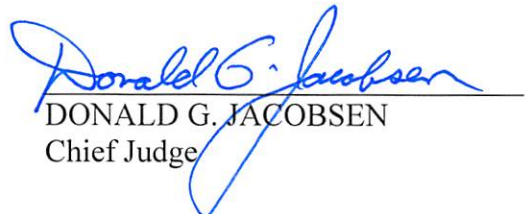
WHEREAS, effective January 1, 2017, Rule 7.090(b), Florida Small Claims Rules, requires the Court to cancel a pretrial conference in the event a summons or notice to appear is nonserved; and

WHEREAS, it is the intent of this Court to establish procedures for the cancellation of pretrial conferences in Small Claims Court to relieve parties of the requirement of appearing at pretrial conferences if there is verified non-service or closure of the case and to protect the due process rights of parties who have not been properly served;

NOW, THEREFORE, it is hereby ORDERED as follows:

1. The Polk County Clerk of Courts (hereinafter "Clerk") shall automatically and without further notice cancel a pretrial conference pursuant to Rule 7.090(b), Florida Small Claims Rules, when a summons or notice to appear is nonserved and the return of service, reflecting non-service, is filed no later than five days before the scheduled pretrial conference.
2. The Clerk shall automatically and without further notice reschedule a pretrial conference when the Plaintiff requests the Clerk to issue an alias summons.
3. The Clerk shall cancel the pretrial conference when a pleading that acts to close or dispose of the case is filed no later than five days before the Pretrial Conference.
4. This Order shall go into effect upon entry.

DONE AND ORDERED this 9th day of January, 2017.


DONALD G. JACOBSEN
Chief Judge

Original:
Clerk of Court – Polk County

Distribution:
All Judges
Clerk of Court – Polk County
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