The 2025 Amendments to the Fla Rules of Civ Pro

CHEAT SHEET FOR THE JUDGES

(Stuff is highlighted or in color to get your attention)

Questions or concerns go to: Maegen Peek Luka, Esq. (luka@newsomelaw.com or (better by phone) 407-648-5977)

TABLE OF CONTENTS

Don’t worry! There is **A LOT** of WHITE SPACE!!!

RULE 1.200—CASE MANAGEMENT

(a) There are 18 categories of exemption. Circuit civil most likely to see the exemption for expedited treatment based on a party's age.

(b) CMO must issue within 120 days of case being FILED.

(c) If parties don't like the track to which they are assigned, they can file a motion to change it, but they must do so "promptly" after "the appearance of good cause."

A court can change the track assignment on its own motion

(d) Case Management order must contain AT LEAST these dates:

(A) service of complaints;

(B) service under extensions;

(C) adding new parties;

(D) completion of fact discovery;

(E) completion of expert discovery;

(F) filing and service of motions for summary judgment;

(G) filing and resolution of all objections to pleadings;

(H) filing and resolution of all pretrial motions; and

(I) completion of alternative dispute resolution.

(e) DEADLINES IN A CASE MANAGEMENT ORDER ARE "STRICTLY ENFORCED UNLESS CHANGED BY COURT ORDER."

Parties can submit an agreed order to extend a deadline if changing a date does not affect downstream dates.

If changing one date affects downstream dates, parties can't just move to extend the one deadline. **They have to move to amend the case management order.**

If parties want to change a "projected trial date" in a CMO, they have to move to amend the case management order. (If it is an "actual" trial date in a CMO, or if a trial order has changed "projected" to "actual," then they have to move under rule 1.460.)

A motion to amend the case management order MUST CONTAIN THESE FOUR THINGS:

(A) the basis of the need for the extension, ***including when the basis became known to the movant***;

(B) whether the motion is opposed;

(C) the specific date to which the movant is requesting the deadline or projected trial period be extended, **and whether that date is agreed by all parties**;

and

(D) the action and specific dates for the action that will enable the movant to meet the proposed new deadline or projected trial period, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available.

This subsection is designed to require the parties to do their homework BEFORE they come to you to ask for more time. They have to have their ducks in a row!

NOTE: parties **cannot** extend a deadline in a case management order with a motion to extend under rule 1.090. The Supreme Court amended rule 1.090 to expressly say:

RULE 1.090—[ENLARGEMENTS OF TIME]

(b) Extending Time.

(1) *In General.* When an act may or must be done within a specified time, the court may, for good cause, extend the time:

(A) **with or without motion** or notice if the court acts, or if a request is made, **before the original time or its extension expires**; or

(B) **on motion made after the time has expired** if the party failed to act because of excusable neglect.

(2) *Exceptions.* The court may not extend the time for making a motion for new trial, for rehearing, or to alter or amend a judgment; making a motion for relief from a judgment under rule 1.540(b); taking an appeal or filing a petition for certiorari; or making a motion for a directed verdict. **Extensions of deadlines in case management orders are governed by rule 1.200 or rule 1.201, and trial continuances are governed by rule 1.460.**

BACK TO RULE 1.200:

(f) NOTICES OF UNAVAILABILITY ARE WORTHLESS. Lawyers can them if they want opposing counsel to know they are on vacation. But they mean nothing to the court. If a lawyer can't make a deadline, he/she needs to alert the court in a case management conference or through a motion to amend a case management order.

(g) EXPRESSLY SAYS that if lawyers can't meet deadlines, ***including because there is no court time to hear pending motions***, then parties should ask for a case management conference.

I am encouraging lawyers to ask for case management conferences when they have trouble getting hearing time so that judges are aware of the problem and can: (a) maybe find time; and /or (b) know when the parties need to ask for a continuance that the parties were not being "dilatory"—the delay is (at least in part) due to lack of court resources, which is "good cause" to continue the case

(h) If a case is not reached during the trial period, it should be set for a period "as soon as practicable" and the order "must reflect what further activity will and will not be permitted."

This is where you decide whether the case is frozen, whether parties can take depositions they couldn't squeeze in, whether amendments will be allowed, etc.

It is an "a la carte" decision that can be different in every case (or the same, if you have a preferred policy).

(i) Each circuit can make a form CMO

(j) CASE MANAGEMENT CONFERENCES

(1) *Scheduling.*

The court can set a case management conference, or the parties can notice one.

Regardless of who does it, the notice must be "reasonable."

If noticed by a party, **the notice** "must identify the specific issues to be addressed during the case management conference AND must also provide a list of **all pending motions**."

The court can set, or the parties can request, case management conferences as-needed or on an ongoing basis.

(2) *Issues that may be addressed.*

A court can address any issue during the conference that could impact the case.

On reasonable notice and if there is adequate time, the court can also require the parties to argue any pending motion on the list EXCEPT motions for summary judgment and anything needing evidentiary hearings.

You can only do an evidentiary hearing or summary judgment hearing during a case management conference if ALL PARTIES AGREE.

(3) *Preparation required.*

PARTIES MUST SHOW UP PREPARED to talk about **any motion on the list**, to make decisions about the conduct of the case, and have authority to make binding representations on motions, issues and scheduling.

Whoever attends the conference must have the calendar for **all attorneys in the case** and be prepared to schedule for them. The days of "let me check with my partner and get back to you" are gone.

(4) Stupid subsection, not worth writing about

(5) Proposed Orders

At the end of a case management conference, YOU MUST give a deadline for submitting a proposed order re the case management conference. Parties have to submit a proposed order by that date **unless** they seek and receive an extension.

If parties can't agree on the content of the order, they can submit competing orders. The parties have to notify the court of basis for any objections to the other side's proposal at the time the order is submitted. No more judges having to look at proposed orders and figure out what is different and why.

(6) *Failure to appear*.

"If ***a party*** fails to appear at a case management conference," the court can sanction, including dismissal, striking pleadings, limiting proof or witnesses, or any other appropriate action against the party who failed to attend.

> Parties don't normally attend case management conferences. This is the language of the rule that has been in place for years. But lawyers might get squirrely and read it differently because it is part of a package of major change. Might be worth telling them that you only require a lawyer to appear and the client can stay home…

RULE 1.201—COMPLEX LITIGATION

Not a lot of change here.

The noticeable differences are that:

(a)(1) - the parties can no longer just agree that the case is complex, and the court will redesignate it as such.

(c) – the court now has to enter a case management order within 10 days of the case management conference

(c)(4) – parties have to confer BEFORE filing a non-dispositive motion AND then again 15 days before the hearing or case management conference. If the parties resolve a motion, they have to notify the court "immediately" if a hearing (or case management conference) is no longer necessary

***ANY JUDGE WHO THINKS THERE SHOULD BE A REQUIREMENT TO NOTIFY THE COURT "IMMEDIATELY" IF A HEARING IS UNNECESSARY IN ALL CASES (NOT JUST COMPLEX), YOU SHOULD PROPOSE AN AMENDMENT!! (Just email the Civil Rules Chair and propose your change. That is all it takes! SO SIMPLE!

The current chair is Cosme Caballero: CCaballero@DeutschBlumberg.com)

RULE 1.202—CONFERRAL PRIOR TO FILING MOTIONS

(a) Duty. Before filing a non-dispositive motion, the movant must confer with the opposing party in a good-faith effort to resolve the issues raised in the motion.

(b) Certificate of Conferral. At the end of the motion and above the signature block, the movant must include a certificate of conferral in substantially in the following form:

> "I certify that prior to filing this motion, I discussed the relief requested in this motion by [method of communication and date] with the opposing party and [the opposing party (agrees or disagrees) on the resolution of all or part of the motion]
>
> **OR**
>
> [the opposing party did not respond (describing with particularity all of the efforts undertaken to accomplish dialogue with the opposing party prior to filing the motion)]."
>
> **OR**
>
> "I certify that conferral prior to filing is not required under rule 1.202."

(c) Applicability; Exemptions. The requirements of this rule do not apply when the movant or the nonmovant is unrepresented by counsel (pro se). Conferral is not required prior to filing the following motions:

(1) for time to extend service of initial process;

(2) for default;

(3) for injunctive relief;

(4) for judgment on the pleadings;

(5) for summary judgment;

(6) to dismiss for failure to state a claim on which relief can be granted;

(7) to permit maintenance of a class action;

(8) to involuntarily dismiss an action;

(9) to dismiss for failure to prosecute;

(10) for directed verdict and motions filed under rule1.530;

(11) for garnishment, attachment, or other motions for enforcement of a judgment under rule 1.570;

(12) for writ of possession under rule 1.580;

(13) filed in actions proceeding under section 51.011, Florida Statutes; and

(14) that do not require notice to the other party under statute or rule.

(d) Sanctions. Failure to comply with the requirements of this rule **may** result in an appropriate sanction, **including denial of a motion without prejudice. The purposeful evasion of communication under this rule may result in an appropriate sanction.**

I AM TELLING LAWYERS THAT THE EASIEST WAY IN THE WORLD TO RESOLVE A MOTION IS FOR A JUDGE TO FLIP TO THE END, SEE NO CONFERRAL CERTIFICATE, AND DENY IT WITHOUT PREJUDICE…

RULE 1.280—GENERAL PROVISIONS GOVERNING DISCOVERY

MAJOR CHANGES HERE!!!!

(a) Parties are required to serve initial disclosures (exempt from the initial disclosure requirement if the case is exempt from rule 1.200):

(A) the name and, **if known**, the address, telephone number, and e-mail address of each individual likely to have discoverable information—**along with the subjects of that information**—that the disclosing party may use to support its claims or defenses, **unless the use would be solely for impeachment**;

(B) a copy—**or a description by category and location**—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control (or, if not in the disclosing party's possession, custody, or control, a description by category and location of such information) and may use to support its claims or defenses, **unless the use would be solely for impeachment**;

(C) a computation for each category of [**ECONOMIC**] damages claimed by the disclosing party **and a copy of the documents or other evidentiary material**, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; provided that **a party is not required to provide computations as to noneconomic damages**, but **the party must identify categories of damages claimed and provide supporting documents**; and

(D) a copy of any insurance policy or agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

The initial disclosures must be served "within 60 days of service of the complaint."

(a)(4):

A party must make its initial discovery disclosures based on the information then reasonably available to it.

A party is not excused from making its initial discovery disclosures because [1] it has not fully investigated the case or [2] because it challenges the sufficiency of another party's initial discovery disclosures or [3] because another party has not made its initial discovery disclosures.

A party who formally objects to providing certain information is not excused from making all other initial disclosures required by this rule in a timely manner.

****The Supreme Court expressly wrote that the last part is meant to ensure that discovery doesn't stop because only a part of a request is objected to**

YOU SHOULD KNOW THIS IS A POTENTIAL CONFLICT:

1.280(f)(1)

> A party may not seek discovery from any source before that party's initial disclosure obligations are satisfied, *except when authorized by these rules, by stipulation, or by court order*.

1.340(a)(2)

> Interrogatories may be served on the plaintiff after commencement of the action and on any other party with or *after service of the process and initial pleading on that party.*

Plaintiffs either serve discovery WITH THE COMPLAINT, or they are stuck waiting to serve discovery until after they serve initial disclosures.

I anticipate 1.280(f)(1) is going to cause a LOT of problems.

> Lawyers who don't know about the rule will serve discovery early.
>
> Lawyers who DO know the rules and get early discovery will disagree about what happens next (do they get to ignore it completely and the other side has to serve again after disclosures? If the discovery was served early, does the receiving party have to start the 30-day clock the day they get disclosures? The next day? What if the disclosures are incomplete? Does the party receiving the discovery get to ignore the discovery? Have to file a motion to compel complete disclosures?).
>
> I have filed a motion for rehearing asking the Court to delete this subsection or at least take notice and comment on it. We will see what happens…

(b) (PROPORTIONALITY)

> **Things that are discoverable are any nonprivileged matter relevant to a claim or defense "and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the**

parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit. Information within the scope of discovery need not be admissible in evidence to be discoverable."

Personally, I don't see the big whoop.

1. **PARTIES HAVE BEEN OBJECTING THAT REQUESTS ARE DISPROPOTIONATE FOR DECADES.**
2. **YOU GET TO USE THE FEDERAL LAW ON PROPORTIONALITY.**
3. **AS YOU WILL SEE IN A MOMENT, UNJUSTIFIED BOILERPLATE USE OF THE OBJECTION IS NOW GOING TO REQUIRE A SANCTION.**

Court Commentary [TO RULE 1.280]

2024 Amendment. The scope of discovery in subdivision (c)(1) is amended to adopt almost all the text of Federal Rule of Civil Procedure 26(b)(1) ***and is to be construed and applied in accordance with the federal proportionality standard.***

In the opinion implementing the change, the Court wrote that this "Court Commentary should be sufficient to lead practitioners and judges to look to federal history and precedents when applying proportionality." SC2023-0962, p.3.

FUN FACT: there is no geographical limitation on the federal precedent to which you should look. That's a BIG BODY OF LAW…

(g) SUPPLEMENTING RESPONSES

Parties now have a duty to supplement any disclosure, rog response, request for production or request for admission "in a timely manner" if it is "incomplete or incorrect" and "the additional or corrective information has not otherwise been made known during the discovery process or in writing" or "as ordered by the court."

(k) Signing Disclosures and Discovery Requests; Responses; and Objections.

Every disclosure and every discovery request, response, and objection has to be signed by at least 1 attorney of record or by the self-represented litigant.

They have to include the attorney's address, email address and a phone number. (Self-represented litigants have to include the same information)

By signing the person who is signing verifies that, "to the best of the person's knowledge, information and belief **formed after a reasonable inquiry**":

> Disclosures are complete and correct when made
>
> The discovery request, response or objection is:
>
> (A) consistent with these rules and warranted by existing or a good faith argument for the extension, modification or reversal of existing law (basic ethical duties NOW ENSHRINED IN THE RULES)
>
> (B) not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
>
> (C) not unreasonable or unduly burdensome or expensive, given the needs of the case, the discovery already had in the case, the amount in controversy, and the importance of the issues at stake in the litigation.

WHOEVER SIGNS NEEDS TO BE THE ONE WHO DID THE INQUIRY—BECAUSE THAT PERSON IS GOING TO BE THE ONE WHO WILL HAVE TO EXPLAIN TO YOU WHAT KIND OF INQUIRY THEY CONDUCTED AND CAN BE SANCTIONED.

> The rule expressly states at the end:
>
> "No party has a duty to act on an unsigned disclosure, request, response, or objection until it is signed. If a certification violates this rule **without substantial justification**, the court, on motion OR on its own, ***MUST*** impose an appropriate sanction on the signer, the party on whose behalf the signer was acting, or both. The sanction may include an order to pay the reasonable expenses, including attorney's fees, caused by the violation."

That is a **MUST**, not a **MAY**. Courts MUST impose a sanction, but they have discretion over what the sanction is.

RULE 1.340—INTERROGATORIES

A BRAND NEW SUBSECTION SAYS:

> **(8) The grounds for objecting to an interrogatory must be stated with specificity, including the reasons. Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure.**

> **In the order implementing the new rules, the Court wrote that this provision was included "to avoid discovery objections that just generally cite proportionality without any further explanation…." SC2023-0962, p.3.**

But the Court did not limit the requirement to only proportionality objections. Basically, ALL DISCOVERY OBJECTIONS TO INTERROGATORIES have to be specific and state reasons. NO MORE BOILERPLATE!

Rule 1.340 also has new commentary:

Court Commentary

2024 Amendment. Any use of standard interrogatories must be adjusted for proportional discovery.

So, for example, a low dollar county court case might not need 10 years of employment history (currently a standard rog).

RULE 1.350 – PRODUCTION OF DOCUMENTS AND THINGS AND ENTRY ON LAND FOR INSPECTION AND OTHER PURPOSES

(b) Procedure

…

(4) For each item or category, the response must state that inspection and related activities will be permitted as requested *or state with specificity the grounds for objecting to the request, including the reasons.*

(5) If an objection is made to part of an item or category, the objection must *state with specificity the grounds for objecting, including the reasons*.

(6) An objection must state whether any responsive materials are being withheld on the basis of that objection. *An objection to part of a request must specify the part and permit inspection of the rest.*

****The Court specifically said that last sentence was designed to "help discovery progress when there is only an objection to a part of a request." SC2023-0962, p.4.**

****Unlike the requirement for interrogatories, the court did NOT include the idea that an objection that does not state the reasons is waived.**

I think that was inadvertent. I have filed a motion for rehearing flagging the inconsistency.

RULE 1.380 – FAILURE TO MAKE DISCOVERY; SANCTIONS

(a)(2) If a party fails to make a disclosure required by rule 1.280(a)[initial disclosures], any other party may move to compel disclosure and for appropriate sanctions.

…

(d) Failure to Disclose or to Supplement an Earlier Response

> **If a party fails to provide information or identify a witness as required by rule 1.280(a) or (g), the party is not allowed to use that information or witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or harmless. In addition to or instead of this sanction, the court, on motion and after giving opportunity to be heard:**
>
> > **(1) may order payment of the reasonable expenses, including attorneys' fees, caused by the failure;**
> >
> > **(2) may inform the jury of the party's failure;**
> >
> > **(3) may impose other appropriate sanctions, including any of the orders listed in rule 1.380(b)(2)(A)-(b)(2)(D).**

HOLY MOSES!!!! THIS IS THE TEETH THAT ENFORCES THE DUTY TO SUPPLEMENT AND THE REQUIREMENT TO SERVE INITIAL DISLCOSURES.

RULE 1.440—SETTING ACTION FOR TRIAL

There is no longer an "at issue" rule. Amended complaints and answers right before trial? If you grant the motion because there is no prejudice, a late amendment will not stop the trial! Motion to dismiss never set for hearing? NO LONGER A PROBLEM!

Rule 1.440(a) says:

> (a) The failure of the pleadings to be closed will not preclude the court from setting a case for trial.

As to the other parts of the rule:

(b) A party can seek a trial date earlier than what is in the CMO by filing a motion that lists specific things (this provision will never be used…)

(c) **Setting the Trial Period.**

(1) The court can set the trial period for something earlier than the case management order says on its own motion or the motion of a party.

(2) If you have a "projected trial period," the trial court has to set the actual trial period at least 45 days before the trial period set forth in the case management order.

(3) [For cases where rule 1.200 doesn't apply]

(4) (4) Any order setting the trial period must set the trial to begin at least 30 days AFTER service of the order **unless all parties agree otherwise**.

(d) Order setting trial has to be served on defaulted parties unless damages are liquidated

(e) The rule does not apply to actions under Chapter 51[summary procedures]

RULE 1.460—CONTINUANCE OF TRIAL

This is a direct quote for subsection (a):

> **(a) Generally.** Motions to continue trial are disfavored and should rarely be granted and then **only upon good cause shown**. Successive continuances are highly disfavored. **Lack of due diligence in preparing for trial is not grounds to continue the case.** Motions for continuance based on parental leave are governed by Florida Rule of General Practice and Judicial Administration 2.570.

(b) Motion must be in writing unless made at a trial and, except for good cause shown, must be signed by the named party requesting the continuance.

(c) Must be filed **promptly after the appearance of good cause** to support such motion. **Failure to promptly request a continuance may be a basis for denying the motion to continue.**

Direct quote for subsection (d):

> **(d) All motions for continuance, even if agreed, must state with specificity:**
>
> **(1) the basis of the need for the continuance, including when the basis became known to the movant;**
>
> **(2) whether the motion is opposed;**
>
> **(3) the action and specific dates for the action that will enable the movant to be ready for trial by the proposed date, including, but not limited to, confirming the specific date any required participants such as third-party witnesses or experts are available; and**
>
> **(4) the proposed date by which the case will be ready for trial and whether that date is agreed by all parties.**

(e) Efforts to Avoid Continuances. To avoid continuances, trial courts should use all appropriate methods to address the issues causing delay, including requiring depositions to preserve testimony, allowing remote appearances, and resolving conflicts with other judges as provided in the Florida Rules of General Practice and Judicial Administration.

(f) Setting Trial Date. When possible, continued trial dates must be set in collaboration with attorneys and self-represented litigants as opposed to the issuance of unilateral dates by the court.

(g) Dilatory Conduct. If a continuance is granted based on the dilatory conduct of an attorney or named party, the court may impose sanctions on the attorney, the party, or both.

(h) Order on Motion for Continuance. When ruling on a motion to continue, the court must state, either on the record or in a written order, the factual basis for the ruling.

> ***THIS JUST LIKE WHAT YOU DO FOR SUMMARY JUDGMENT ORDERS. The order can say, "For the reasons stated at the hearing on March 1, 2025, the motion for continuance is granted."
>
> The point is only that you can't just say "granted." Whether at a hearing or in writing, you have to say why you are exercising your discretion: "defense counsel has requested to continue the trial so that he can attend his daughter's graduation. The court finds that is good cause. The motion is granted." (To be clear, that particular motion should be filed the minute trial counsel realizes the conflict with graduation…sitting on knowledge of the conflict for six months is a reason to deny the request.)

An order granting a motion to continue must either set a new trial period or set a case management conference.

If the trial is continued, the new trial must be set for the earliest date practicable, given the needs of the case and resources of the court.

The order must reflect what further activity will or will not be permitted.

RULE 1.510—MOTIONS FOR SUMMARY JUDGMENT

Parties can still file a motion for summary judgment 20 days after the complaint is filed.

The deadline for filing the motion for summary judgment **is no longer 40 days before the hearing.**

Now, it must be filed "consistent with any court-ordered deadlines."

Remember that rule 1.200 requires the CMO to list the deadline for filing summary judgment motions…

RESPONSES TO SUMMARY JUDGMENT MOTIONS ARE DUE 40 DAYS AFTER THE MOTION IS FILED.

PARTIES CAN ASK YOU TO EXTEND THIS DEADLINE BY FILING A MOTION UNDER RULE 1.090. **BUT THEY HAVE TO FILE THE MOTION BEFORE THE DEADLINE EXPIRES!!!**

If one side files a MSJ early and the non-moving party needs to conduct more discovery, the non-moving party MUST file a motion under rule 1.510(d).

> The subsection allows the court to "defer considering the motion," deny the motion, give time to take more discovery, or any other remedy the court sees fit.
>
> The subsection requires the party seeking to take more discovery to submit an affidavit with the motion. The affidavit needs to say what discovery remains to be taken and how it is expected to change the outcome of the MSJ.
>
> But what happens if a party files an early SJ motion, the opposing party files a motion under 1.510(d) to be able to take more discovery, and the deadline for the SJ response runs before you can rule on the 1.510(d) motion? Now you've got non-moving party saying they didn't file a response because they filed the 1.510(d) motion, the moving party saying caselaw directs you to adopt everything in the motion as true because no response was filed, and you've got decades of caselaw saying summary judgment should not be granted where discovery is incomplete.
>
> I am telling lawyers that when they file the rule 1.510(d) motion, THEY SHOULD ALSO FILE—AT THE SAME TIME, EVEN IN THE SAME MOTION—A REQUEST FOR EXTENSION OF TIME (under 1.090) TO SERVE THE RESPONSE TO THE MSJ.

This way, whether you grant the 1.510(d) motion for more time to take discovery or deny the motion, you can still give a party additional time to file a response to the summary judgment motion.

NEW PROVISION (meant to avoid situations where the hearing takes place only a few days after the response is filed):

> *Timing for Hearing.* Any hearing on a motion for summary judgment must be set for a date at least 10 days after the deadline for serving a response, **unless the parties stipulate or the court orders otherwise**.

***Heads up. That "or" means the parties can stipulate that they will schedule a SJ hearing to take place 3 days after the response is due. They don't need a court order to do that. A judge should really propose an amendment that the judge has to approve if the hearing is going to take place less than 10 days…

TO BE CLEAR:

NO ONE ASKED THE COURT
TO DO AWAY WITH HEARINGS ON SUMMARY JUDGMENT MOTIONS.

THIS "TIMING FOR HEARING" PROVISION WAS NOT DRAFTED TO DO AWAY WITH HEARINGS.

I know this without question because I am one of multiple people who proposed the language of that provision. It was meant to contemplate that if there were multiple summary judgment motions that resulted in multiple hearings, then "any hearing" had to be at least 10 days after the response was filed unless the judge and all parties agreed otherwise.

THIS IS WHEN THE NEW RULES START

The Supreme Court said at pages 6 to 7 of the SC2203-962 order:

> The initial disclosure requirement does not apply to any case filed before January 1, 2025.
>
> All other amendments, including the duty to supplement, take effect in all cases on January 1. If lawyers uncover new information, they better supplement their discovery responses—or else face the wrath of 1.380.
>
> "Case management orders already in effect on January 1, 2025, continue to govern pending actions; however, any extensions of deadlines specified in those existing case management orders are governed by amended rule 1.200 or amended rule 1.201."
>
> For actions commenced before January 1, 2025, and in which the court has not issued a case management order by that date, a case management order must be issued by April 4, 2025.
>
> The new timing rules in 1.510 govern motions "filed on or after" January 1 but DO NOT APPLY to "motions filed before that date." SC2024-662, p.3.
>
> Same goes for the conferral requirement. If the motion was filed BEFORE JANUARY 1, then there was no need to confer before filing the motion.