



THE
15TH JUDICIAL CIRCUIT
OF FLORIDA

Circuit Civil Lawsuit

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File completed forms:

- **\$50,001 and above:** Circuit Civil Court

Resources for Civil Lawsuit

All instructions and forms distributed by the Fifteenth Judicial Circuit Law Library are provided as a public service to persons seeking to represent themselves in court without the assistance of an attorney. These documents are meant to serve as a guide only, and to assist pro se (self-represented) litigants with their cases. Any person using these instructions and/or forms does so at their own risk and the Law Library shall not be responsible for any losses incurred by any person in reliance on the instructions and/or forms.

For questions about this packet, contact:

- County Civil: (\$8,001 to \$50,000)
 - Email: mbcountycivilclerkweb@mypalmbeachclerk.com
 - Call: 561-355-2500
 - Online: <https://www.mypalmbeachclerk.com/departments/courts/county-civil-court>
- Circuit Civil: (Over \$50,000)
 - Email: circcivilclerkweb@mypalmbeachclerk.com
 - Call: 561-355-2986
 - Online: <https://www.mypalmbeachclerk.com/departments/courts/circuit-civil-court>

Resources:

Florida Rules of Civil Procedure: <https://www.floridabar.org/rules/ctproc/>

Florida Statutes: <https://www.flsenate.gov/Laws/Statutes>

Additional Legal Resources:

Florida Rural Legal
Services
www.frls.org
561-820-8902

Legal Aid Society of Palm
Beach County
www.legalaidpbc.org
561-655-8944

Lawyer Referral Service
<https://www.palmbeachbar.org/lawyer-referral-service/>
561-687-3266 (to hire a lawyer to
represent you in court or give you
legal advice)

Before you represent yourself

The following information is found on <https://help.flcourts.org/Get-Started>. This is not intended to be legal advice and is for informational purposes only.

Terms you may hear if you are going to court without a lawyer are:

- “Pro-Se,” meaning “for oneself” or “on behalf of oneself.”
- “Self-Represented Litigant,” meaning a person who seeks to file, pursue, or respond to a case without the assistance of a lawyer authorized to practice before the court.

Both terms mean you do not have a lawyer and are choosing to represent yourself in a legal proceeding.

In most court cases, there are important issues at stake, specific timelines to meet, and complex rules to follow. **For these reasons, it is always best to talk to a lawyer when things become complicated or confusing.**

If you cannot afford a lawyer, legal help is available at free or reduced fees. Organizations below can help in many areas of law beyond family law.

- American Bar Association <https://florida.freelegalanswers.org/>
- Florida Law Help <https://floridalawhelp.org/>
- Lawyer Referral Service – The Florida Bar <https://lrs.floridabar.org/>
- Lawyer Referral Service – Palm Beach County Bar Association call 561-687-3266 or visit online at <https://www.palmbeachbar.org/lawyer-referral-service/>
- Legal Aid Society of Palm Beach County – call 561-655-8944 or visit online at <https://legalaidpbc.org/>
- Legal Services & Resources – Florida Courts <https://help.flcourts.org/Legal-Services-Resources>

IMPORTANT: As a Pro Se Petitioner:

1. **You must follow** all courtroom rules and procedures as though you are an attorney practicing in that circuit. You should prepare yourself by researching laws and rules.
2. **You should know** and follow the rules relevant to your case.
3. **You must follow** the instructions provided in each form you file. Make sure you file all documents required for your case. Provide proof of all requirements.

4. **You are responsible** for knowing any local court rules that may affect your case. Local court rules are different in each circuit. Courts also issue administrative orders. Review administrative orders that apply to your case for important requirements. You can often find local rules and administrative orders on the circuit court website.
5. **You alone are responsible** for moving the case forward. You are the one who requests a final hearing or trial date. You must also give the other side proper notice for all hearings.

Tips to Get Started:

Step 1: Review the Law – Florida Statutes and Rules of Court

Different types of cases such as civil, family, probate, traffic, criminal, etc., have different requirements. This information is provided as a general guide for people trying to handle their own cases and is not intended as a substitute for legal advice from an attorney. Each case has its own particular set of circumstances, and an attorney may advise you of what is best for you in your individual situation. If you need help finding an attorney, please contact the Lawyer Referral Service at 561-687-3266 or <https://www.palmbeachbar.org/lawyer-referral-service/>.

Find the Florida Statutes and the Rules of Procedure that pertain to your case. Researching and understanding these resources are *very important* to every case.

Statutes and rules are not the only things you need to know about in order to handle your case. Court rulings in previous cases, known as “case law,” can also affect your case. To find case law you may need to visit a law library. Law libraries often provide access to legal databases, such as Westlaw or LexisNexis Advance, which can be used to find case law. Alternatively, you may find some case law on Google Scholar (<https://scholar.google.com/>) by selecting the Case law option before searching.

Note on Rules of Court Procedure: Different case types have different rules of procedure. For example, dependency and delinquency cases are governed by the Rules of Juvenile Procedure, whereas dissolution of marriage cases are governed by the Family Law Rules of Procedure. The Florida Bar provides links to all the various rules of court procedure for Florida courts (<https://www.floridabar.org/rules/ctproc/>) on their website.

More information may be found online at the public library, a law library at the county courthouse, or a law school library in your area. Local Family Law or Self-Help Centers (<https://www.mypalmbeachclerk.com/services/self-service-center>) and law libraries (<https://www.15thcircuit.com/services/law-library/>) may be able to assist you.

Step 2: Forms

To start a case, you will need to file a petition, complaint, statement of claim, or similar document. If someone has brought a case against you, then you may need to file an answer or response with the court.

Florida's laws and rules are complex and can be confusing if you do not have a background or training in the law. Forms can help people work on their legal matters but are not a substitute for legal advice from an attorney. Standard forms are available for many family law cases, but other case types may not have readily available forms. Since many family law forms exist, we will use a family law case as an example of how to proceed with a case.

1. Read the General Information for Self-Represented Litigants in Family Law Cases document. Most of the information found in this document is **not** repeated in the instructions included with the family law forms.
 - General Information for Self-Represented Litigants in Family Law Cases <https://www.flcourts.org/content/download/217367/file/geninfo.pdf> [pdf]
2. Read What Happens in Court to understand the steps involved in a family case. Your case may be different, but this is a good example of many of the steps necessary for handling a legal case.
 - What Happens in Court <https://help.flcourts.org/Get-Started/The-Process-What-Happens-in-Court>
3. Complete the forms you're required to file.
4. Review the Family Forms Frequently Asked Questions if you still need help.
 - Family Forms Frequently Asked Questions <https://help.flcourts.org/Get-Started/Find-a-Form/Frequently-Asked-Questions>
5. Print your completed form(s), sign and notarize them as required and submit the form to the clerk's office via regular mail, in person or by scanning the signed PDF and electronically eFiling.
 - Notary Public Requirement <https://help.flcourts.org/Get-Started/Find-a-Form/Notary-Public-Requirement>
 - eFiling <https://www.myflcourtagency.com/>

Step 3: File Your Forms

You will need to file your forms with the **Clerk of Court** in the county where the case will be heard. Forms may be filed electronically or in person.

Follow the instructions for your forms. Have the forms **notarized** if necessary. Have the other party **served** when necessary. **Keep copies of everything you file with the clerk.**

If you have further questions about how to have the other party served, how to file forms, etc., you may contact the clerk's office for more information.

A filing fee will be required for most cases. The amount of the fee will depend on the type of case you have. Filing fees are set by statute.

FEE WAIVER: For some cases you may apply to the clerk of the court for a fee waiver. In addition to the waiver of filing fees, you may also qualify for a waiver of the \$10.00 fee for the Summons for Service of Process and the service of process fee for a sheriff to deliver documents to another party. To qualify for a fee waiver, you will need to fill out and file an Application for Determination of Civil Indigent Status

(https://www.flcourts.org/content/download/403010/file/indigent_application.pdf [pdf]).

Step 4: Going to Court

Your case is your responsibility. When you handle your own case, it is your responsibility to move your case forward, to serve or provide notice to other parties and witnesses, to demand discovery, to file all necessary motions, to meet all deadlines, to appear for court, and ultimately to present your case at a hearing to a judge.

Most cases will have an initial hearing where the judge received the information that was filed with the clerk and the parties explain why they are in court and what they would like the judge to decide. The judge may see what the parties can agree on and what they will still need to resolve. After this first hearing, the parties may be given instructions on what they need to do next and a court date for a hearing on the issues that still need to be resolved.

Some cases may be referred to mediation. Mediation is a way for people who are having a dispute to talk about their case with a mediator. A mediator cannot choose sides or provide legal advice, but he or she may be able to help the parties come to an agreement or settlement. If you go to mediation and you still can't solve your problems, you can go back to court and the judge will make the final decisions in your case.

If your case goes to a hearing, be prepared with copies of all of the information you have filed with the clerk and the information you want the judge to hear. Read Preparing for Court: Courtroom Expectations (<https://help.flcourts.org/Get-Started/The-Process-What-Happens-in-Court/Preparing-for-Court-Courtroom-Expectations>).

When the judge makes a ruling on your case, she or he will file an order with the clerk. The order will tell all parties what has been decided and what needs to happen next. All sides must abide by the order.

While forms and online tools can help a pro se litigant handle some legal issues, going to court can be a difficult and intimidating process. If at any time you feel that handling your own case is too much, contact an attorney for assistance.

FORM 1.997. INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET

Plaintiff must file this cover sheet with the first document filed in the action or proceeding (except small claims cases, probate, or family cases). Domestic and juvenile cases should be accompanied by a completed Florida Family Law Rules of Procedure Form 12.928, Cover Sheet for Family Court Cases. Failure to file a civil cover sheet in any civil case other than those excepted above may result in sanctions.

I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned (if applicable), and the name (last, first, middle initial) of plaintiff(s) and defendant(s).

II. Amount of Claim. Enter the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

III. Type of Case. Place an “X” on the appropriate line. If the cause fits more than one type of case, select the most definitive. If the most definitive label is a subcategory (indented under a broader category label), place an “X” on the category and subcategory lines. Definitions of the cases are provided below in the order they appear on the form.

Circuit Civil

(A) Condominium—all civil lawsuits pursuant to Chapter 718, Florida Statutes, in which a condominium association is a party.

(B) Contracts and indebtedness—all contract actions relating to promissory notes and other debts, including those arising from the sale of goods, but excluding contract disputes involving condominium associations.

(C) Eminent domain—all matters relating to the taking of private property for public use, including inverse condemnation by state agencies, political subdivisions, or public service corporations.

(D) Auto negligence—all matters arising out of a party’s allegedly negligent operation of a motor vehicle.

(E) Negligence—other—all actions sounding in negligence, including statutory claims for relief on account of death or injury, that are not included in other main categories.

(F) Business governance—all matters relating to the management, administration, or control of a company.

(G) Business torts—all matters relating to liability for economic loss allegedly caused by interference with economic or business relationships.

(H) Environmental/Toxic tort—all matters relating to claims that violations of environmental regulatory provisions or exposure to a chemical caused injury or disease.

(I) Third party indemnification—all matters relating to liability transferred to a third party in a financial relationship.

(J) Construction defect—all civil lawsuits in which damage or injury was allegedly caused by defects in the construction of a structure.

(K) Mass tort—all matters relating to a civil action involving numerous plaintiffs against one or more defendants.

(L) Negligent security—all matters involving injury to a person or property allegedly resulting from insufficient security.

(M) Nursing home negligence—all matters involving injury to a nursing home resident resulting from negligence of nursing home staff or facilities.

(N) Premises liability—commercial—all matters involving injury to a person or property allegedly resulting from a defect on the premises of a commercial property.

(O) Premises liability—residential—all matters involving injury to a person or property allegedly resulting from a defect on the premises of a residential property.

(P) Products liability—all matters involving injury to a person or property allegedly resulting from the manufacture or sale of a defective product or from a failure to warn.

(Q) Real property/Mortgage foreclosure—all matters relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property, including foreclosures associated with condominium associations or condominium units. (The amount of claim specified in Section II. of the form determines the filing fee pursuant to section 28.241, Florida Statutes.)

(R) Commercial foreclosure—all matters relating to the termination of a business owner's interest in commercial property by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property.

(S) Homestead residential foreclosure—all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has been granted a homestead exemption.

(T) Nonhomestead residential foreclosure—all matters relating to the termination of a residential property owner's interest by a lender to gain title or force a sale to satisfy the unpaid debt secured by the property where the property has not been granted a homestead exemption.

(U) Other real property actions—all matters relating to land, land improvements, or property rights not involving commercial or residential foreclosure.

(V) Professional malpractice—all professional malpractice lawsuits.

(W) Malpractice—business—all matters relating to a business's or business person's

failure to exercise the degree of care and skill that someone in the same line of work would use under similar circumstances.

(X) Malpractice—medical—all matters relating to a doctor’s failure to exercise the degree of care and skill that a physician or surgeon of the same medical specialty would use under similar circumstances.

(Y) Malpractice—other professional—all matters relating to negligence of those other than medical or business professionals.

(Z) Other—all civil matters not included in other categories.

(AA) Antitrust/Trade regulation—all matters relating to unfair methods of competition or unfair or deceptive business acts or practices.

(AB) Business transactions—all matters relating to actions that affect financial or economic interests.

(AC) Constitutional challenge—statute or ordinance—a challenge to a statute or ordinance, citing a violation of the Florida Constitution.

(AD) Constitutional challenge—proposed amendment—a challenge to a legislatively initiated proposed constitutional amendment, but excluding challenges to a citizen-initiated proposed constitutional amendment because the Florida Supreme Court has direct jurisdiction of such challenges.

(AE) Corporate trusts—all matters relating to the business activities of financial services companies or banks acting in a fiduciary capacity for investors.

(AF) Discrimination—employment or other—all matters relating to discrimination, including employment, sex, race, age, handicap, harassment, retaliation, or wages.

(AG) Insurance claims—all matters relating to claims filed with an insurance company.

(AH) Intellectual property—all matters relating to intangible rights protecting commercially valuable products of the human intellect.

(AI) Libel/Slander—all matters relating to written, visual, oral, or aural defamation of character.

(AJ) Shareholder derivative action—all matters relating to actions by a corporation’s shareholders to protect and benefit all shareholders against corporate management for improper management.

(AK) Securities litigation—all matters relating to the financial interest or instruments of a company or corporation.

(AL) Trade secrets—all matters relating to a formula, process, device, or other business information that is kept confidential to maintain an advantage over competitors.

(AM) Trust litigation—all civil matters involving guardianships, estates, or trusts and not appropriately filed in probate proceedings.

County Civil

(AN) Civil – all matters involving claims ranging from \$8,001 through \$50,000 in damages, exclusive of interest, costs, and attorney fees.

(AO) Real property/Mortgage foreclosure—all matters involving claims up to \$50,000 relating to the possession, title, or boundaries of real property. All matters involving foreclosures or sales of real property up to \$50,000, including foreclosures associated with condominium associations or condominium units.

(AP) Replevins—all lawsuits pursuant to Chapter 78, Florida Statutes, involving claims up to \$50,000.

(AQ) Evictions—all matters involving the recovery of possession of leased land or rental property by process of law.

(AR) Other civil (non-monetary)—includes all other non-monetary county civil matters that were not described in other county civil categories.

IV. Remedies Sought. Place an “X” on the appropriate line. If more than one remedy is sought in the complaint or petition, check all that apply.

V. Number of Causes of Action. If the complaint or petition alleges more than one cause of action, note the number and the name of the cause of action.

VI. Class Action. Place an “X” on the appropriate line.

VII. Related Cases. Place an “X” on the appropriate line.

VIII. Is Jury Trial Demanded In Complaint? Check the appropriate line to indicate whether a jury trial is being demanded in the complaint.

IX. Sexual Abuse. Place an “X” on the appropriate line.

ATTORNEY OR PARTY SIGNATURE. Sign the civil cover sheet. Print legibly the name of the person signing the civil cover sheet. Attorneys must include a Florida Bar number. Insert the date the civil cover sheet is signed. Signature is a certification that the filer has provided accurate information on the civil cover sheet, **and has read and complied with the requirements of Florida Rule of General Practice and Judicial Administration 2.425.**

FORM 1.997. CIVIL COVER SHEET

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner with the Clerk of Court for the purpose of reporting uniform data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

I. CASE STYLE IN THE _____ COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN
AND FOR PALM BEACH COUNTY, FLORIDA

Plaintiff _____

Case # _____

Judge _____

vs.

Defendant _____

II. AMOUNT OF CLAIM

Please indicate the estimated amount of the claim, rounded to the nearest dollar. The estimated amount of the claim is requested for data collection and clerical processing purposes only. The amount of the claim shall not be used for any other purpose.

- _____ \$8,000 or less
- _____ \$8,001 - \$50,000
- _____ \$50,001- \$75,000
- _____ \$75,001-\$100,000
- _____ over \$100,000.00

III. TYPE OF CASE (If the case fits more than one type of case, select the most definitive category.) If the most descriptive label is a subcategory (is indented under a broader category), place an x on both the main category and subcategory lines.

CIRCUIT CIVIL

- _____ Condominium
- _____ Contracts and indebtedness
- _____ Eminent domain
- _____ Auto negligence
- _____ Negligence—other
 - _____ Business governance
 - _____ Business torts
 - _____ Environmental/Toxic tort
 - _____ Third party indemnification
 - _____ Construction defect

- Mass tort
- Negligent security
- Nursing home negligence
- Premises liability—commercial
- Premises liability—residential
- Products liability
- Real property/Mortgage foreclosure
 - Commercial foreclosure
 - Homestead residential foreclosure
 - Non-homestead residential foreclosure
 - Other real property actions
 - Professional malpractice
 - Malpractice—business
 - Malpractice—medical
 - Malpractice—other professional
- Other
 - Antitrust/Trade regulation
 - Business transactions
 - Constitutional challenge—statute or ordinance
 - Constitutional challenge—proposed amendment
 - Corporate trusts
 - Discrimination—employment or other
 - Insurance claims
 - Intellectual property
 - Libel/Slander
 - Shareholder derivative action
 - Securities litigation
 - Trade secrets
 - Trust litigation

COUNTY CIVIL

- Civil
- Real Property/Mortgage foreclosure
- Replevins
- Evictions
 - Residential Evictions
 - Non-residential Evictions
- Other civil (non-monetary)

IV. REMEDIES SOUGHT (check all that apply):

- Monetary;
- Nonmonetary declaratory or injunctive relief;

_____ Punitive

V. NUMBER OF CAUSES OF ACTION: []

(Specify) _____

VI. IS THIS CASE A CLASS ACTION LAWSUIT?

_____ yes

_____ no

VII. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?

_____ no

_____ yes If "yes," list all related cases by name, case number, and court. -

VIII. IS JURY TRIAL DEMANDED IN COMPLAINT?

_____ yes

_____ no

IX. DOES THIS CASE INVOLVE ALLEGATIONS OF SEXUAL ABUSE?

_____ yes

_____ no

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of General Practice and Judicial Administration 2.425.

Signature _____ Fla. Bar # _____
Attorney or party (Bar # if attorney)

(type or print name)

Date

CASE NUMBER:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the _____ day of _____, 20__ , I hand-delivered mailed, e-mailed or couriered the foregoing to the following parties:

Signature

INSTRUCTIONS FOR ATTORNEYS COMPLETING FINAL DISPOSITION FORM

I. Case Style. Enter the name of the court, the appropriate case number assigned at the time of filing of the original complaint or petition, the name of the judge assigned to the case and the names (last, first, middle initial) of plaintiff(s) and defendant(s).

II. Amount of Final Judgment. Enter the amount as recorded in the final judgment.

III. Means of Final Disposition. Place an “x” in the appropriate major category box and in the appropriate subcategory box, if applicable. The following are the definitions of the disposition categories.

- (A) Dismissed Before Hearing—the case is settled, voluntarily dismissed, or otherwise disposed of before a hearing is held;
- (B) Dismissed Pursuant to Settlement — Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached without mediation before a hearing is held;
- (C) Dismissal Pursuant to Mediated Settlement — Before Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reached with mediation before a hearing is held;
- (D) Other - Before Hearing—the case is dismissed before hearing in an action that does not fall into one of the other disposition categories listed on this form;
- (E) Dismissed After Hearing—the case is dismissed by a judge, voluntarily dismissed, or settled after a hearing is held;
- (F) Dismissal Pursuant to Settlement—After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reach without mediation after a hearing is held;
- (G) Dismissal Pursuant to Mediated Settlement—After Hearing—the case is voluntarily dismissed by the plaintiff after a settlement is reach with mediation after a hearing is held;
- (H) Other—After Hearing—the case is dismissed after hearing in an action that does not fall into one of the other disposition categories listed on this form;
- (I) Disposed by Default—a defendant chooses not to or fails to contest the plaintiff’s allegations and a judgment against the defendant is entered by the court;
- (J) Disposed by Judge—a judgment or disposition is reached by the judge in a case that is not dismissed and in which no trial has been held. Includes stipulations by the parties, conditional judgments, summary judgment after hearing and any matter in which a judgment is entered excluding cases disposed of by default as in category (I) above;

- (K) Disposed by Non-Jury Trial—the case is disposed as a result of a contested trial in which there is no jury and in which the judge determines both the issues of fact and law in the case;
- (L) Disposed by Jury Trial—the case is disposed as a result of a jury trial (consider the beginning of a jury trial to be when the jurors and alternates are selected and sworn);
- (M) Other—the case is consolidated, submitted to arbitration or mediation, transferred, or otherwise disposed of by other means not listed in categories (A) through (L).

DATE AND ATTORNEY SIGNATURE. Date and sign the final disposition form.

FORM 1.998. FINAL DISPOSITION FORM

This form shall be filed by the prevailing party with the Clerk of Court for the purpose of reporting uniform case_data pursuant to Florida Statutes section 25.075. (See instructions on the reverse of the form.)

I. CASE STYLE
IN THE _____ COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN
AND FOR PALM BEACH COUNTY, FLORIDA
Plaintiff _____ Case # _____
_____ Judge _____

vs.

Defendant _____

II. AMOUNT OF FINAL JUDGMENT

Please indicate the amount of the final judgment, rounded to the nearest dollar. \$ _____

III. MEANS OF FINAL DISPOSITION (Place an "x" in one box for major category and one subcategory, if applicable, only)

- Dismissed Before Hearing
 - Dismissed Pursuant to Settlement –Before Hearing
 - Dismissed Pursuant to Mediated Settlement –Before Hearing
 - Other –Before Hearing
- Dismissed After Hearing
 - Dismissed Pursuant to Settlement –After Hearing
 - Dismissed Pursuant to Mediated Settlement –After Hearing
 - Other After Hearing –After Hearing
- Disposed by Default
- Disposed by Judge
- Disposed by Non-jury Trial
- Disposed by Jury Trial
- Other

DATE _____

SIGNATURE OF ATTORNEY FOR PREVAILING PARTY