

<b>DIVISION</b> <input type="checkbox"/> DISTRICT COURTS <input type="checkbox"/> OTHER	<b>SUMMONS/NOTICE TO APPEAR FOR PRETRIAL CONFERENCE DISTRICT COURT</b> (File in Quadruplicate)	<b>CASE NUMBER</b>
<b>PLAINTIFF(S)</b>	<b>VS. DEFENDANT(S)</b>	<b>CLOCK IN</b>

DEFENDANT(S) TO BE SERVED AT:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF FLORIDA

NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)

YOU ARE HEREBY NOTIFIED to appear in person or by attorney at the location indicated below:

**“For those unable to pay for an attorney, information on how to seek free legal assistance can be found at [www.dadecountyprobono.org](http://www.dadecountyprobono.org).”**

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> HIALEAH DISTRICT COURT    | <input type="checkbox"/> NORTH DADE JUSTICE CENTER | <input type="checkbox"/> CORAL GABLES DISTRICT COURT |
| <input type="checkbox"/> JOSEPH CALEB CENTER COURT | <input type="checkbox"/> MIAMI BEACH DISTRICT      | <input type="checkbox"/> SOUTH DADE JUSTICE CENTER   |

(Addresses for court locations are printed on the back of this form)

on \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ M., in courtroom \_\_\_\_\_ before a Judge of this Court. Section # \_\_\_\_\_.

**IMPORTANT – READ CAREFULLY**

**THE CASE WILL NOT BE TRIED AT THE PRETRIAL CONFERENCE, BUT MAY BE MEDIATED AT THAT TIME.**

**DO NOT BRING WITNESS(ES). YOU MUST APPEAR IN PERSON OR BY ATTORNEY.**

**WHOEVER APPEARS FOR A PARTY MUST HAVE FULL AUTHORITY TO SETTLE FOR ALL AMOUNTS FROM ZERO TO THE AMOUNT OF CLAIM WITHOUT FURTHER CONSULTATION. FAILURE TO COMPLY MAY RESULT IN THE IMPOSITION OF SANCTIONS, INCLUDING COSTS, ATTORNEY FEES, ENTRY OF JUDGMENT, DISMISSAL.**

The defendant(s) must appear in court on the date specified in order to avoid a default judgment. The plaintiff(s) must appear to avoid having the case dismissed for lack of prosecution. A written MOTION or ANSWER to the court by the plaintiff(s) or the defendant(s) shall not excuse the personal appearance of the parties or their attorney in the PRETRIAL CONFERENCE/MEDIATION. The date and time of the pretrial conference CANNOT be rescheduled without good cause and prior court approval.

A corporation may be represented at any stage of the trial court proceedings by an officer of the corporation or any employee authorized in writing by any officer of the corporation. Written authorization must be brought to the Pretrial Conference/Mediation.

The purpose of the pretrial conference is to record your appearance, to determine if you admit all or part of the claim, to enable the court to determine the nature of the case, and to set the case for trial if the case cannot be resolved at the pretrial conference. You or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, state what efforts have been made to settle the dispute, exhibit any documents necessary to prove the case, state the names and addresses of your witnesses, stipulate to the facts that will require no proof and will expedite the trial, and estimate how long it will take to try the case.

**MEDIATION**

Mediation may take place during the time scheduled for the pretrial conference. Mediation is a process whereby an impartial and neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties, without prescribing what the resolution should be. It is an informal and nonaversarial process with the objective of helping the disputing parties reach a mutually acceptable and voluntary agreement.

In mediation, decision making rests with the parties. Negotiations in court mediation are primarily conducted by the parties. Counsel for each party may participate. However, presence of counsel is not required. If a full agreement is not reached at mediation, the remaining issues of the case will be set for trial. Mediation communications are confidential and privileged except where disclosures are required or permitted by law.

If you admit to the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may approve a payment plan and may withhold judgment or executions or levy.

**RIGHT TO VENUE.** THE LAW GIVES THE PERSON OR COMPANY WHO HAS SUED YOU THE RIGHT TO FILE IN ANY ONE OF SEVERAL PLACES AS LISTED BELOW. HOWEVER, IF YOU HAVE BEEN SUED IN ANY PLACE OTHER THAN ONE OF THESE PLACES, YOU, AS THE DEFEDANT(S), HAVE THE RIGHT TO REQUEST THAT THE CASE BE MOVED TO A PROPER LOCATION OR VENUE. A PROPER LOCATION OR VENUE MAY BE ONE OF THE FOLLOWING:

1. WHERE THE CONTRACT WAS ENTERED INTO;
2. IF THE SUIT IS ON UNSECURED PROMISSORY NOTE, WHERE THE NOTE WAS SIGNED OR WHERE THE MAKER RESIDES
3. IF THE SUIT IS TO RECOVER PROPERTY OR TO FORECLOSE A LEIN, WHERE THE PROPERTY IS LOCATED;
4. WHERE THE EVENT GIVING RISE TO THE SUIT OCCURRED;
5. WHERE ANY ONE OR MORE OF THE DEFENDANTS SUED RESIDE;
6. ANY LOCATION AGREED TO IN A CONTRACT.
7. IN ANY ACTION FOR MONEY DUE, IF THERE IS NO AGREEMENT AS TO WHERE SUIT MAY BE FILED, WHERE PAYMENT IS TO BE MADE.

If you, as the defendant(s) believe the plaintiff(s) has/have not sued in one of these correct places, you must appear on our court date and orally request a transfer or you must file a WRITTEN request for transfer in affidavit form (sworn to under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff('s)(s') attorney, if any

**A COPY OF THE STATEMENT OF CLAIM SHALL BE SERVED WITH THIS SUMMONS**

**MIAMI-DADE COUNTY DISTRICT COURT FACILITIES**

Hialeah District Court (21)  
11 East 6th Street  
Hialeah, FL 33010

North Dade Justice Center (23)  
Room 100  
15555 Biscayne Blvd.  
Miami, Florida 33160

Coral Gables District (25)  
3100 Ponce De Leon Blvd.  
Coral Gables, Florida 33134

Joseph Caleb Center Court (20)  
Suite 103  
5400 N.W. 22nd Avenue  
Miami, Florida 33142

Miami Beach District (24)  
Room 200  
1130 Washington Avenue  
Miami, Florida 33139

South Dade Justice Center (26)  
Room 1200  
10710 S.W. 211 Street  
Cutler Ridge, Florida 33189

FILED BY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
PHONE: \_\_\_\_\_

COPY:  MAILED       HAND-DELIVERED  
TO:     PLAINTIFF     ATTORNEY  
SERVED BY:  MAIL       SHERIFF  
    PROCESS SERVER

**LUIS G. MONTALDO**  
**CLERK AD INTERIM**

BY: \_\_\_\_\_  
DEPUTY CLERK

DATE

**AMERICANS WITH DISABILITIES ACT OF 1990**  
**ADA NOTICE**

**“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Alean Simpkins, the Eleventh Judicial Circuit Court’s ADA Coordinator, Lawson E. Thomas Courthouse Center, 175 NW 1<sup>st</sup> Avenue, Suite 2400, Miami, FL 33128; Telephone (305) 349-7175; TDD (305) 349-7174, Email [ADA@jud11.flcourts.org](mailto:ADA@jud11.flcourts.org); or via Fax at (305) 349-7355, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.”**