

## Important Contact Numbers:

### Clerk of Courts:

General Information: (305) 375-5943

### Foreclosure Sales:

Sale Fee: \$70.00 payable to the Clerk of Courts to be submitted at hearing. (Do not include in the case packet submitted to the FMC Unit)

Reopening Fee: \$50.00 payable to Clerk of Courts to be submitted at hearing. (Do not include in the case packet submitted to the FMC Unit)

Foreclosure sales are conducted 5 days a week- Monday through Friday beginning at 9:00 A.M. online at [www.miamidade.realforeclose.com](http://www.miamidade.realforeclose.com)



Foreclosure Master Calendar Unit  
Dade County Courthouse  
73 West Flagler Street,  
Room 900  
Miami, Florida 33130

Phone: (305) 349-7630

[fmc@jud11.flcourts.org](mailto:fmc@jud11.flcourts.org)

[fmcforquestions@jud11.flcourts.org](mailto:fmcforquestions@jud11.flcourts.org)

[www.jud11.flcourts.org/fmc.htm](http://www.jud11.flcourts.org/fmc.htm)

Foreclosure Master Calendar Court Session Hours  
are Monday- Friday:

Motions to Cancel Sale:

9:00 A.M.

Writ of Possession and/or Summary Judgments:

10:30 A.M.

11:30 A.M.

1:30 P.M.

2:30 P.M.

Packet Drop Off to FMC unit: 8:00 A.M. - 4:00 P.M.

## Eleventh Judicial Circuit of Florida

## Foreclosure Master Calendar



The Foreclosure Master Calendar will standardize procedures for the management of residential mortgage foreclosure cases.

These procedural changes will be implemented by the Eleventh Judicial Circuit Court on April 12, 2010. The Foreclosure Master Calendar Court will commence hearings on May 10, 2010.

Revision Date: 6/24/2010

## Application

The following motions will no longer be heard by the Division Judges and must be set on the Foreclosure Master Calendar (FMC):

- Motions for summary judgment in residential mortgage foreclosure cases
- Motions for writs of possession
- Motions to cancel foreclosure sale

All other motions remain with the Division Judge including: Motions to dismiss, motions to compel, motions for protective order and all discovery motions and motions for summary judgment cases listed as exclusions below.

### Exclusions:

These procedures are not applicable in the following cases: Non-residential foreclosures; condominium foreclosures and commercial foreclosures; mechanics and construction lien foreclosures.

**Note:** All case packets submitted to the FMC Unit must consist of copies only. All original documents except for the Note and Mortgage must be filed with the Clerk of Courts prior to submission of the packet to the FMC Unit. Also, no checks are to be submitted with the case packets.

### Prerequisites to scheduling a motion for summary judgment hearing:

Pleadings should be closed, with no pending motions for extension of time, motions to dismiss or outstanding discovery. Submission of a complete motion for summary final judgment packet which includes:

1. Foreclosure Master Calendar cover sheet, together with copies of the complaint, copy of defendant's answer and affirmative defenses;
2. Plaintiff's certification as to residential mortgage foreclosure case status;
3. Certificate of compliance with residential mortgage foreclosure mediation mandated by Administrative Order 10-03 A1 or evidence of non-homestead status;
4. A copy of the motion for summary judgment of foreclosure including:

(a). Copies of all defaults, and if no default has been entered, service returns, including non-military affidavits and affidavits of diligent search inquiry in compliance with the new rules and Form 1.942, Fla. R. Civ. P.;

(b). Copies of supporting affidavits of indebtedness, affidavit of costs, attorneys' fees, affidavit as to the reasonableness of attorneys' fees and lost note, if applicable;

5. The notice of hearing with the date of hearing in blank, including sufficient copies and postage paid envelopes for all parties on the service list;

6. Full copies of the note and mortgage and as applicable, copies of the endorsements, assignments or allonge establishing the plaintiff's status as owner and holder of the note. (Only copies of the Note and Mortgage should be filed with the Clerk of Courts. The originals should be taken to the date of the summary judgment hearing.) ;

7. The approved uniform summary final judgment of foreclosure form;

8. Plaintiff's submission of its summary judgment packet shall be in full compliance with the requirements of the Florida Rules of Civil Procedure, including Rule 1.510, Fla. Rules of Civ. P. (2009);

9. The complete motion for summary judgment packet should be delivered to the Foreclosure Master Calendar Court Team, Miami- Dade County Courthouse, 73 West Flagler Street, Room 900, Miami, Florida 33130.

10. Courtesy copies of pleadings or documents filed in opposition to summary judgment shall be delivered to the FMC Unit, Room 900 prior to the hearing date as required by the Rules.

**Note:** All relevant forms may be accessed from the website at [www.jud11.flcourts.org/fmc.htm](http://www.jud11.flcourts.org/fmc.htm)

### Prerequisites to the scheduling of a writ of possession:

1. Submission of a motion for writ of possession and a copy of the certificate of title;
2. Proof of pre-eviction notice in compliance with the Protecting Tenants at Foreclosure Act of 2009, as applicable;
3. Submission of a notice of hearing with the date of hearing in blank, together with sufficient copies and postage paid envelopes for all parties on the service list;
4. The complete motion for writ of possession packet should be delivered to the Foreclosure Master Calendar Court Team, Miami-Dade County Courthouse, 73 West Flagler Street, Room 900, Miami, Florida 33130.

Upon confirmation of compliance with summary judgment and writ of possession prerequisites, the motions will be scheduled for hearing by the FMC Unit and notices will be sent to all parties on the service list. If your packet is incomplete or otherwise deficient, a rejection notice will be e-mailed to the law firm, and the packet will be available for Plaintiff's retrieval; no hearing will be scheduled. After three rejections of the same packet, the matter will be set before the Administrative Judge or her designee to determine the nature of the problem.

Note: Submission to the FMC Unit does not constitute filing with the Clerk of the Courts. All original motions and documents must be filed of record with the Clerk of Courts prior to the submission of the case packet to the FMC unit. It is best practice to have your copy stamped by the Clerk as filed.

### Prerequisites to motions to cancel sale:

Motions must be filed with the Clerk of Courts and opposing counsel notified prior to appearing in court.

1. The motion for cancellation of sale must constitute a genuine emergency, and be supported by meritorious reasons which fully apprise the Court of the circumstances;
2. The motion for cancellation of sale should be supported by exhibits or documentation establishing the grounds for cancellation;
3. Successive motions to cancel sale should address a new basis for cancellation which justify another cancellation.

All motions for cancellation of sale requiring a hearing will be handled on a walk-in basis. These hearings will be conducted in Courtroom 3-3 at 9:00 A.M. only. Motions to cancel sale will no longer be handled by the Division Judge. A case packet for cancellation of sale is not required to be submitted to the FMC Unit.

### Prerequisites to cancel a hearing:

Requests for cancellation of hearing will only be cancelled for good cause shown. The Motion to cancel a hearing must be filed with the Clerk of Courts within ten (10) days of the mailing of the notice of hearing, unless there is an emergency. A copy of the motion must be provided via email to: [fmc@jud11.flcourts.org](mailto:fmc@jud11.flcourts.org) along with a detailed explanation as to the reason the hearing should be cancelled.

Hearings are not cancelled until you receive a confirmation by e-mail. If you have not received a cancellation you must appear at the scheduled hearing.

Once the cancellation confirmation is received, the law firm is responsible for notifying all parties on the service list.