

IN THE COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE
COUNTY FLORIDA, SMALL CLAIMS ACTION

Plaintiff's Name _____

Address _____

City State Zip _____

Phone # _____

Email Address _____

Case Number. _____

Refer to this number when making inquires

VS

Defendant(s) _____

☐ Original

☐ Alias

☐ Pluries

SUMMONS TO APPEAR FOR PRETRIAL CONFERENCE/MEDIATION

STATE OF FLORIDA-NOTICE TO PLAINTIFF(S) AND DEFENDANT(S)

YOU ARE HEREBY NOTIFIED that you are scheduled to appear for a PRETRIAL CONFERENCE on _____, 20__ at _____ A.M. **This hearing will be conducted remotely via the Zoom video conference application.**

Please utilize the ZOOM link below. There are no fees for attending this court hearing via the Zoom platform. The Zoom platform allows individuals to appear via telephone, smartphone, or computer even if they do not have an available camera. Please keep your microphone muted while you wait to be addressed. If you are able, please "rename" your device on the Zoom link using your first and last name, case number found above, and/or firm name to facilitate the clerk locating your case faster. **Remember this is a virtual court proceeding. Please be located in a quiet, safe area. Do not drive, smoke, eat, sleep, or do anything you would not do in an in-person court proceeding. Please dress appropriately. You may still be subject to contempt of court proceedings, should you violate any laws or courtroom decorum.**

ZOOM LINK:

Join Zoom Meeting

<https://zoom.us/j/4090526226>

Meeting ID: 409 052 6226

If you do not have internet connection available, you can also utilize the Zoom conference by dialing the phone number below. Please only join on one device.

PHONE LINK:

+17866351003,,4090526226#,, US (Miami)

+14703812552,,4060526226#,, US (Atlanta)

IMPORTANT-READ CAREFULLY

The case will not be tried at the pretrial conference. The case will be mediated. Do not arrange for witnesses to appear. Please be patient and be ready to wait. There are many cases scheduled. Your case may take an hour or more before being called to mediate.

Whoever appears for a party must have **FULL AUTHORITY TO SETTLE**, for all amounts from zero to the amount of the claim, without further consultation. If the coverage attorney does not have **full authority to settle**, the Court may not allow that attorney to cover for the plaintiff in future court proceedings. To facilitate timely mediations, coverage counsel may only appear for 15 cases per docket. Failure to comply may result in the imposition of sanctions, including costs, attorney fees, entry of judgment, or dismissal of the case.

The defendant(s) or attorney must appear by Zoom on the date specified in the order to avoid a default judgment. The plaintiff(s) must appear by Zoom 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 Zoom appearance at the Pretrial Conference/Mediation. Any counterclaim or “set-off” must be filed prior to the pretrial conference date. The date and time of the pretrial conference CAN NOT be rescheduled without good cause and prior court approval.

The Court does NOT provide an interpreter for civil proceedings. If you do not speak English, you must bring someone to translate for you. It does not need to be a certified court interpreter. Someone you are comfortable with, who is fluent in your native language and English, will suffice.

El Tribunal NO proporciona un intérprete para los procedimientos civiles. Si no habla inglés, debe traer a alguien para que le traduzca. No es necesario que sea un intérprete judicial certificado. Será suficiente alguien con quien se sienta cómodo, que hable con fluidez su idioma nativo y el inglés.

Any business entity recognized under Florida law may be represented at any stage of the trial court proceedings by a principal of the business entity who has legal authority to bind the business entity or any employee authorized in writing by a principal of the business entity. A principal is defined as being an officer, member, managing member, or partner of the business entity. Written authorization must be provided to the Court prior to the Pretrial Conference.

The purpose of the pretrial conference is to record your appearance, to determine if you admit to all or part of the claim, and/or to set the case for trial if the case cannot be solved at the pretrial conference. Should you fail to resolve your case at mediation, you or your attorney should be prepared to confer with the court and to explain briefly the nature of your dispute, whether any pretrial motions are required, and estimate how long it will take to try the case. A copy of the statement of claim shall be served with this summons. *Important information continued on the next page.*

Dated at Lee County, Florida on _____ . Kevin C. Karnes, Clerk of Courts

By: _____
As Deputy Clerk

MEDIATION

Mediation will 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, non-adversarial process with the objective of helping the disputing parties reach a mutually acceptable and voluntary agreement. In mediation, decision making rests with the parties. If a full agreement is not reached at mediation, 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 the claim, but desire additional time to pay, you must come and state the circumstances to the court. The court may or may not approve a payment plan and withhold judgment or execution 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 defendant(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 an unsecured promissory note, where the note is signed or where the maker resides; (3) if the suit is to recover property, 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 an 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 file a WRITTEN request for transfer in affidavit form (sworn under oath) with the court 7 days prior to your first court date and send a copy to the plaintiff(s) or plaintiff(s) attorney, if any. The written request does not waive your appearance at the pre-trial conference. The motion (written request) must be scheduled for hearing with the assigned Judge.

BRING THIS FORM WITH YOU AT ALL TIMES

Americans with Disabilities Act

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 Brooke Dean, Operations Division Director, whose office is located at Lee

County Justice Center, 1700 Monroe Street, Fort Myers, Florida 33901, and whose telephone number is (239) 533-1771, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

Si usted es una persona con una discapacidad que necesita ningún alojamiento con el fin de participar en un procedimiento judicial, tiene derecho, sin costo alguno para usted, para el suministro de determinada asistencia. Por favor, póngase en contacto con Brooke Dean, Operaciones Gerente de la División de Justicia del Condado de Lee, 1700 Monroe St., Fort Myers, FL 33901, y cuyo número teléfono es (239) 533-1771, al menos 7 días antes de su aparición en la corte programado, o inmediatamente después de la recepción de esta notificación, si el tiempo antes de la aparición programada es inferior a 7 días; si usted está escuchando la voz o deteriorados, llamada 711.

Si ou se yon moun ki gen yon andikap ki bezwen nenpòt ki aranjman yo nan lòd yo patisipe nan yon pwosedi tribunal la, ou gen dwa, san sa pa koute ou, yo fè pwovizyon de sèten asistans. Tanpri kontakte Brooke Dean, Operasyon Divizyon Manadjè pou 20yèm Jidisyè Awondisman a ki gen biwo ki sitiye nan mitan konte Lee Jistis la, 1700 Monroe St., Fort Myers, FL 33901, epi ki gen nimewo telefòn se (239) 533-1771, omwen 7 jou anvan aparans pwograme tribunal ou, oswa imedyantman lè w resevwa notifikasyon sa a si tan an anvan aparans nan tribunal la mwens ke 7 jou; si w ap tande oswa vwa ki gen pwoblèm, rele 711.