

Rule 1.01 | SCOPE AND CONSTRUCTION OF RULES

(a) These rules, made pursuant to the authority of 28 U.S.C. Section 2071, Rule 83, Fed.R.Civ.P., and Rule 57, Fed.R.Cr.P., shall apply to all proceedings in this Court, whether civil or criminal, unless specifically provided to the contrary or necessarily restricted by inference from the context. The Court may prescribe by administrative order procedures for electronic filing and related matters in civil and criminal cases. The administrative order shall govern, notwithstanding these rules, which otherwise will govern to the extent not inconsistent with the administrative order.

(b) These rules are intended to supplement and complement the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, and other controlling statutes and rules of Court. They shall be applied, construed and enforced to avoid inconsistency with other governing statutes and rules of court, and shall be employed to provide fairness and simplicity in procedure, to avoid technical and unjustified delay, and to secure just, expeditious and inexpensive determination of all proceedings.

(c) The Court may suspend application and enforcement of these rules, in whole or in part, in the interests of justice in individual cases by written order. When a judge of this Court in a specific case issues any order which is not consistent with these rules, such order shall constitute a suspension of the rules with respect to the case only, and only to the extent that such order is inconsistent with the rules.

(d) In all circumstances in which these rules, the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, other rules as prescribed by the Supreme Court of the United States, or any statute of the United States, or the Federal Common Law, do not apply, the practices, pleadings, forms and modes of proceedings then existing in like causes in the Courts of the State of Florida shall be followed.