

**IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT,
IN AND FOR PALM BEACH COUNTY,
FLORIDA**

DIVISION AE:

ALL RESIDENTIAL FORECLOSURE CASES

STANDING ORDER

All lawyers are reminded of their professional obligations pursuant to Fla. R. Jud. Admin. 2.545 to conclude litigation so soon as it is reasonably and justly possible to do so and to seek postponement only in extremely rare circumstances and only for demonstrated good cause.

"A crucial element in any mortgage foreclosure proceeding is that the party seeking foreclosure must demonstrate that it has standing to foreclose" when the complaint is filed. *Angelini v. HSBC Bank USA, N.A.*, 189 So. 3d 202,203 (Fla. 4th DCA 2016). Therefore, prior to trial in any foreclosure case, any party which advances a position on plaintiff's standing shall prepare and at least five business days prior to trial commencement, provide to the Court and to each other party a demonstrative aid which demonstrates existence of or lack of standing by the plaintiff both immediately before filing of the complaint and at time of trial. In other words, each side shall create a document which sets forth the timeline or chronology either *establishing* or *disestablishing* that the plaintiff is the (1) holder,

(2) owner, or (3) non-holder in possession of the note with the rights of a holder. Plaintiff's demonstrative aid shall specify under which of the three categories it claims to have standing. A copy of the note showing indorsements and each allonge or assignment shall be attached to the demonstrative aid. Neither the original note nor the original mortgage shall be attached to the demonstrative aid.

Photocopies of the note and mortgage, not originals, shall be utilized in evidence.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, on this 13th day of September, 2016.

 
15th JUDICIAL CIRCUIT
OF FLORIDA
JUDGE JEFFREY GILLEN OFFICE OF THE COURT
CIRCUIT COURT JUDGE

Posted: Divisional web site and Courtroom entrance bulletin board