

Understanding Florida Summons

A Comprehensive Guide for Paralegal Students

Introduction to Civil Litigation Documents

What is a Summons?

Definition

A summons is an official court document notifying a defendant of a lawsuit and requiring their response.

Purpose

It establishes the court's jurisdiction and informs defendants of their legal obligation.

Legal Requirement

Required by law to ensure defendants have notice and opportunity to defend.

Key Components of a Florida Summons

Court Information

Circuit court name, county, and judicial circuit

Defendant Information

Full name and address of the person being sued

Case Caption

Plaintiff and defendant names, case number

Response Deadline

20 days from service to file written defenses

Command to Sheriffs

Directive to serve the summons and complaint

Clerk's Signature

Official seal and deputy clerk signature

The Summons Header

IN THE CIRCUIT/COUNTY COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND
FOR LEE COUNTY, FLORIDA

CLEAR

Plaintiff(s)
vs

Case No: _____

Defendant(s): _____

SUMMONS

THE STATE OF FLORIDA:

To each Sheriff of the State:

YOU ARE COMMANDED to serve this summons and a copy of the complaint or
petition in this action on defendant: _____

Each defendant is required to serve written defenses to the complaint or petition on
_____, plaintiff's
attorney, whose address is: _____
within 20 days* after service of this summons on that defendant, exclusive of the day of service,
and to file the original of the defenses with the clerk of this court either before service on
plaintiff's attorney or immediately thereafter. If a defendant fails to do so, a default will be
entered against that defendant for the relief demanded in the complaint or petition.

Dated on: _____

Kevin C. Kunes, Clerk of the Court

By: _____
As Deputy Clerk

*Except when suit is brought pursuant to section 768.28, Florida Statutes. If the State of Florida,
one of its agencies, or one of its officials or employees sued in his or her official capacity is a
defendant, the time to be inserted as to it is 40 days. When suit is brought pursuant to section
768.28, Florida Statutes, the time to be inserted is 30 days.

Fla.R.Civ.P. Form 1.902(a) Rev. 6/19

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT

IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

CIVIL DIVISION

Important: The header identifies the specific court where the case is filed. Florida has 20 judicial circuits, each covering specific counties.

Response Requirements

20 Days

Generally, a defendant must file written defenses within 20 days after service

Excludes Service Day

The day of service does not count toward the 20-day period

What Defendants or Defendant's Counsel Must Do:

1. Serve Written Defenses

Send response to plaintiff's attorney

2. File with Court Clerk

Submit original to the court



Failure to Respond = Default Judgment

If defendant doesn't respond, plaintiff can obtain judgment by default

Service of Process

What is Service of Process?

The formal delivery of legal documents to notify a party of a lawsuit.

Methods of Service in Florida:

Personal Service: Hand-delivered by sheriff or process server

Substituted Service: Left with person at defendant's residence

Service by Mail: Certified mail with return receipt

Publication: Newspaper notice when defendant not located

Proper service is essential for valid proceedings

Florida Rule of Civil Procedure 1.070 governs service of process



Disability Accommodation Notice



ADA Requirements

Florida summons must include disability accommodations notice.

Key Points:

Parties with disabilities entitled to accommodations at no cost

Must contact court at least 7 days before appearance

If less than 7 days, contact immediately upon receiving summons

TTY users should call 711 for relay services

Summons provides specific county contact details for requesting accommodations

Florida vs. Federal Summons

Florida Summons

State Court System

Response Time: 20 days

Governing Rules: Florida Rules of Civil Procedure

Service Methods: Sheriff, process server, certified mail

Form: Florida Form 1.902

Federal Summons

Federal Court System

Response Time: 21 days (14 if waiver signed)

Governing Rules: Federal Rules of Civil Procedure

Service Methods: Personal service, waiver of service option

Form: AO 440 (Federal form)

Key Difference: Federal courts allow waiver of service to save costs; Florida generally requires formal service

Choose the correct form based on whether case is filed in state or federal court

Common Mistakes to Avoid

Incorrect Court Information

Verify the correct judicial circuit and county

Missing Case Number

The clerk assigns this - never create your own

Incomplete Defendant Information

Must include full legal name and current address

Wrong Attorney Contact Info

Double-check firm name, attorney, email, and address

Forgetting the Seal

Requires official court seal and clerk signature



Attention to detail prevents costly delays and potential dismissals

Summary & Resources

Key Takeaways

- ✓ Summons is the official notice of a lawsuit
- ✓ Must be properly served to establish jurisdiction
- ✓ Defendant has 20 days to respond in Florida
- ✓ Different from federal summons requirements
- ✓ Accuracy is critical to avoid case delays

Essential Resources

Florida Rules of Civil Procedure

Florida Supreme Court Forms

County Clerk's Office Procedures

Federal Rules (for comparison)

Review the uploaded summons example for practical application

Questions?

Practice makes perfect!

Continue your studies with hands-on practice using actual court forms