

In re Amendments to Fla. Rule of Civ. Proc. 1.280(f)

Supreme Court of Florida

June 19, 2025, Decided

No. SC2025-0697

Reporter

2025 Fla. LEXIS 984 *; 2025 LX 174121; 50 Fla. L. Weekly S 136; 2025 WL 1710912

IN RE: AMENDMENTS TO FLORIDA RULE OF CIVIL PROCEDURE 1.280(f).

Notice: THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

Counsel: [*1] Cosme Caballero, Chair, Civil Procedure Rules Committee, Miami, Florida, Joshua E. Doyle, Executive Director, The Florida Bar, Tallahassee, Florida, and Heather Savage Telfer, Bar Liaison, The Florida Bar, Tallahassee, Florida, for Petitioner.

Judges: MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur.

Opinion

Original Proceeding — Florida Rules of Civil Procedure

PER CURIAM.

The Florida Bar's Civil Procedure Rules Committee filed a report proposing amendments to [Florida Rule of Civil Procedure 1.280](#) (General Provisions Governing Discovery).¹ We adopt the amendments to [rule 1.280\(f\)](#) (Timing and Sequence of Discovery) as proposed by the Committee.

In our recent opinion adopting civil case management amendments, the Court added the following sentence to [rule 1.280\(f\)](#): "A party may not seek discovery from any source before that party's initial disclosure obligations are satisfied, except when authorized by stipulation or by court order." [In re Amends. to Fla. Rules of Civ. Proc., 402 So. 3d 925 \(Fla. 2024\)](#). The Committee reports that litigants are refusing to respond to discovery requests on the basis that initial disclosure obligations have not been "satisfied," despite service of initial disclosures. To avoid any unnecessary delay, we now replace the phrase "party's initial disclosure obligations [*2] are satisfied" in [rule 1.280\(f\)](#) with "party's initial disclosures are served on the other party."² Incomplete and inadequate initial discovery disclosures are addressed in [Florida Rule of Civil Procedure 1.380\(d\)](#) (Failure to Disclose or to Supplement an Earlier Response).

The Florida Rules of Civil Procedure are amended as reflected in the appendix to this opinion. New language is indicated by underscoring in the appendix, and deletions are indicated by struck-through type. The amendments shall become effective immediately.

¹ We have jurisdiction. See [art. V, § 2\(a\), Fla. Const.](#); see also [Fla. R. Gen. Prac. & Jud. Admin. 2.140\(b\)](#).

² The Committee in this case also proposed amendments to [rule 1.280\(k\)](#) (Signing Disclosures and Discovery Requests; Response; and Objections), but we hereby ask the Committee to file a new report to separately address its proposed amendments to [subdivision \(k\)](#) in a new case.

It is so ordered.

MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur.

APPENDIX

RULE 1.280. GENERAL PROVISIONS GOVERNING DISCOVERY

(a)-(e) [No Change]

(f) Timing and Sequence of Discovery.

[EDITOR'S NOTE: TEXT IN ITALICS IS UNDERLINED IN THE SOURCE.]

(1) *Timing.* A party may not seek discovery from any source before that party's initial disclosures obligations are

satisfied *served on the other party*, except when authorized by stipulation or by court order.

(2) [No Change]

(g)-(k) [No Change]

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