

## CIVIL DIVISION

### Introduction

Cases filed in the Civil Division of the Clerk's Office fall either under the jurisdiction of County or Circuit Court.

### County Court

- Cases in which the amount of money does not exceed \$15,000.00 exclusive of interest, court costs & attorney fees.
- Landlord & Tenant Evictions including those Tenant Eviction cases in which the damages does not exceed \$15,000.00.

### County Court cases are either:

**Small Claims (SP) Cases**, which are cases governed by the Rules of Small Claims. These Rules cover cases in which the amount of damages does not exceed \$5,000.00 exclusive of interest, court costs and attorney fees.

**Civil Court (CC) Cases**, which are cases governed by the Rules of Civil Procedure. These Rules cover cases in which the amount of damages exceeds \$5,000.00 but is not more than \$15,000.00 and tenant eviction cases.

### Circuit Court

- Cases in which the amount of money exceeds \$15,000.00, exclusive of interest, court costs and attorney fees.
- Eviction cases in which damages claimed exceed \$ 15,000.00
- Actions of Ejectment.
- Actions involving the title and boundaries of real property
- The issuance of injunctions
  - Specific Case Types include:
    - Replevin
    - Negligence
    - Professional Malpractice
    - Products Liability
    - Mortgage Foreclosures
    - Eminent Domain
    - Bond Estreatures
    - Writs
    - Foreign Judgments

**A deputy clerk may be able to assist you with the filing of a small claims suit. Forms are available in room 138 of the Courthouse and at the District Courts. You may need an attorney to assist you on all other matters. Fee Schedules and additional information are available at the Courthouse and Districts or by calling (305) 275-1155.**

## Appeals

### County to Circuit

- The appeals unit is located at 73 W. Flagler Street, Room 133 Balcony, Miami, Florida 33130.
- Only the original Notice of Appeal is needed
- For a Petition for Writ of Certiorari the original and three copies are required.
- There is a drop box in the lobby of the Courthouse that is available until 8:00 p.m. Make sure the pleading are placed in the box marked Circuit Court. Items placed in the box will be filed the same day.

### Circuit to Third District Court of Appeals

The address of the Third District Court of Appeal is 2001 SW 117th Avenue, Miami, Fl. 33175, Telephone: (305) 229-3200.

- The Miami-Dade County Clerk's Office also has a night drop box for the Third District Court in the lobby of the Courthouse at 73 W. Flagler Street. You can drop items in the box until 8:00 p.m. and they will be clocked as filed the same day.

### Mortgage Foreclosures

- The Foreclosure department does not provide listings of foreclosed properties, however, foreclosure actions are published in the Daily Business Review, The Floridian and Your Hometown Paper.
- You can obtain Foreclosure information and view court files at 140 W. Flagler Street, Suite 1502. It is very important to obtain a title search on any property before the sale. The Clerk's Office does not guarantee a clear title and is not responsible for any encumbrances on the property after it is purchased at auction.
- Foreclosure Sales are held at 140 W. Flagler St., Room 908 at 11:00 a.m. Sale dates are specified in the file. The successful bidder at the sale must immediately deposit in cash or cashier's check 5% of the bid. The balance of the bid plus costs must also be paid in cash or cashiers check by 3:00 p.m. that same afternoon.

### Copies

Copies of judgments and all other documents filed in a civil case file can be obtained by visiting our office or mailing in your request. See Clerk's Fee Schedule at: [www.miami-dadeclerk.com/doc/Fee\\_Schedule.asp](http://www.miami-dadeclerk.com/doc/Fee_Schedule.asp) for fees required to certify a document. Enclose a self addressed stamped envelope when mailing in request to: Clerk of Court, Correspondence Unit, 73 W. Flagler Street, Room 137, Miami, Florida 33130.

## Release of Towed or Stored Vehicles

An owner of a vehicle who feels that his vehicle as illegally towed or stored does not necessarily need to pay the towing and/or storage charges to have his/ her car returned. By filing a lawsuit and posting a bond equal to the amount of the charges for towing or storage, the owner can have the court determine if the property was wrongfully taken or withheld while the person enjoys the use of his/her vehicle.

Since most of the time the amount of these charges does not exceed the limits of small claims court (\$5,000.00), the deputy clerk can assist with filing these cases. This kind of claim may be filed at the Dade County Courthouse or any of the District Courts.

The Owner of the vehicle needs to bring a written document establishing the amount owed to the towing/storage company to justify the amount to be posted as a bond, proof of ownership of the vehicle, the proper name and address of the defendant, the cash (or surety) for the bond and proper fees. Filing and service fees are the same as small claims cases. There is an additional charge for the Clerk's fee for depositing monies in the Registry of the Court, issuing a cash bond, or approving a surety bond.

Once the case is filed, a Bond to Release Lien is Prepared. This is the document that the owner of the vehicle will present to the towing/storage company to have the vehicle released.

### Release of Automobile Lien

The Court Registry, located in room 138 of the Court-house can assist with this procedure, which is used to release a vehicle being held in a repair shop for payment.

The customer should bring proof of ownership, a copy of the bill provided by the repair shop showing the amount owed, and cash or a cashiers check (or a surety bond) for the amount owed plus the Clerk's fee for depositing money in the Registry of the Court (or Clerk's fee for approving the surety bond), and a miscellaneous fee for the Certificate of Release of Lien.

After the Bond to Release Lien and the Certificate of Release are prepared, a certified copy of the Bond with the copy of the bill (or an affidavit) as well as the original Certificate of Release is given to the owner to obtain the release of his/her vehicle.

## DISTRICT COURTS

County and Circuit Court cases may be filed at any of the District locations. Hearings for County Court Small Claims (SP) and Civil Court (CC) as well as Landlord and Tenant cases (which are filed according to zip code boundaries) are also held at the Districts.

## DISTRICT LOCATIONS

### BUSINESS HOURS:

**9:00a.m.– 4:00p.m.**

Monday through Friday excluding Holidays

**Hialeah District Court**  
11 East 6 Street, Room 100  
Hialeah, Florida 33010

**Joseph Caleb Center**  
5400 N.W. 22 Avenue, Room 103  
Miami, Florida 33142

**Coral Gables District Court**  
3100 Ponce de Leon Blvd.  
Coral Gables, Florida 33134

**Miami Beach District Court**  
1130 Washington Avenue Room 200  
Miami Beach, Florida 33139

**North Dade Justice Center**  
15555 Biscayne Boulevard, Room 100  
Miami, Florida 33160

(Recording Satellite Office Temporarily Closed)

**South Dade Justice Center**  
10710 S.W. 211 Street, Room 1200  
Miami, Florida 33189

(Recording Satellite Office Temporarily Closed)

**Sweetwater Branch**  
500 S.W. 109 Avenue  
Sweetwater, Florida 33142

For further information, call (305) 275-1155

## D.I.A.L.

Direct Information Access Line

Automated Voice Response System

**DIAL - 24 Hours/Day 7 Days/Week**

### Child Support/Alimony

(305) 275-1122

### Civil Court

(305) 275-1155

### County Recorder

(305) 275-1155

### Criminal Court

(305) 275-1155

### Domestic Violence

(305) 275-1155

### Hotline:

(305) 349-5888

### Family Court

(305) 275-1155

### Marriage License Bureau

(305) 275-1155

### Parking Violations Bureau

(305) 275-1133

### Probate Court

(305) 275-1155

### Traffic Court

(305) 275-1111

**Americans With Disabilities Act: Qualified individuals requiring an ADA Accommodation may contact the Court ADA Coordinator at Telephone (305) 349-7175; TDD (305) 349-7174, Fax (305) 349-7355. Individuals who are hearing or voice impaired may contact the telephone number(s) listed via the Florida Relay Service at 1-800-955-8771, or by dialing 711. Please note, at least 7 days advanced notice is required when scheduling Sign Language Interpreters. This document is available in alternate formats upon request.**

# CIVIL COURT



## Dade County Courthouse

73 West Flagler Street,

Miami, Florida 33130

Tel: (305) 275-1155

**Business Hours: 9:00A.M.- 4:00 P.M.**  
Monday through Friday excluding Holidays.

Visit our website at:

[www.miami-dadeclerk.com](http://www.miami-dadeclerk.com)

click on

**Civil / Family / Probate Records**

to search for cases and view case dockets