

**RULE 7.020. APPLICABILITY OF RULES OF CIVIL PROCEDURE**

**(a) Generally.** Florida Rules of Civil Procedure 1.090(a), (b), and (c); 1.190(e); 1.210(b); 1.260; 1.410; and 1.560 are applicable in all actions covered by these rules.

~~**(b) Discovery.** Any party represented by an attorney is subject to discovery pursuant to Florida Rules of Civil Procedure 1.280–1.380 directed at said party, without order of court. If a party not represented by an attorney directs discovery to a party represented by an attorney, the represented party may also use discovery pursuant to the above-mentioned rules without leave of court. When a party is not represented by an attorney, and has not initiated discovery pursuant to Florida Rules of Civil Procedure 1.280–1.380, the opposing party shall not be entitled to initiate such discovery without leave of court. However, the time for such discovery procedures may be prescribed by the court. A party shall not be entitled to initiate discovery pursuant to the Florida Rules of Civil Procedure without leave of court.~~

~~**(c) Additional Rules.** In any particular action, the court may order that action to proceed under 1 or more additional Florida Rules of Civil Procedure on application of any party or the stipulation of all parties or on the court’s own motion. To the extent that any 1 or more rules of civil procedure are invoked in a small claims action that eliminate the deadline for trial under rule 7.090(d), the court and parties shall be subject to the case management provisions of Florida Rule of Civil Procedure 1.200.~~

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## **RULE 7.070. METHOD OF SERVICE OF PROCESS**

~~(a) In General.~~ Service of process shall be effected as provided by law or as provided by Florida Rules of Civil Procedure 1.070(a)-(h). Constructive service or substituted service of process may be effected as provided by law. Service of process on Florida residents only may also be effected by certified mail, return receipt signed by the defendant, or someone authorized to receive mail at the residence or principal place of business of the defendant. Either the clerk or an attorney of record may mail the certified mail, the cost of which is in addition to the filing fee.

~~(b) Summons; Time Limit.~~ ~~If service of the initial process and initial pleading is not made upon a defendant within 90 days after filing of the initial pleading directed to that defendant, the court, on its own initiative after notice or on motion, shall direct that service be effected within a specified time or shall dismiss the action without prejudice or drop that defendant as a party; provided that if the plaintiff shows good cause or excusable neglect for the failure, the court shall extend the time for service for an appropriate period. When a motion for leave to amend with the attached proposed amended complaint is filed, the 90-day period for service of amended complaints on the new party or parties shall begin upon the entry of an order granting leave to amend. A dismissal under this subdivision shall not be considered a voluntary dismissal or operate as an adjudication on the merits under rule 7.110(a)(1).~~