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OLSI CIVIL LEGAL GUIDE · FLORIDA STATE TRIAL COURTS

Discovery in Florida State Trial Courts

How to gather the facts that decide your case — and protect what you don't have to hand over — under Florida's 2025 proportionality rules. For self-represented litigants, rigorous enough for new counsel.

JURISDICTION

Florida State Courts

AUDIENCE

**Self-Represented &
New Counsel**

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READING TIME

~50 min

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WHAT THIS GUIDE COVERS

- | | | | |
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| 01 | What discovery is & why it matters | 02 | The six stages of discovery |
| 03 | Scope, relevance & proportionality | 04 | Privilege & work product |
| 05 | Mandatory initial disclosures | 06 | The five discovery tools |
| 07 | Interrogatories (+ template) | 08 | Requests for production & ESI |
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IMPORTANT — PLEASE READ

Open Law Services Institute is not a law firm and does not provide legal advice. This guide gives general legal information to help you understand court procedure. It cannot tell you what to do in your specific case, and using it does not create an attorney-client relationship. For advice about your situation, consult a Florida-licensed attorney. Learn more at www.openlawservices.org.

START HERE

Discovery is how you get the evidence — before trial, on the record

Trials are won with evidence, and most evidence starts in the other side's hands. Discovery is the formal, court-backed process for getting it.

Discovery is the exchange of information between parties before trial. You can make the other side answer written questions under oath, produce documents and electronic records, admit or deny facts, and sit for a deposition — and they can do the same to you. Used well, discovery builds your case; ignored, it can lose it.

The scope: relevant *and* proportional

Florida lets you discover any nonprivileged matter that is **relevant** to a claim or defense — and, since 2025, that is also **proportional** to the needs of the case.¹ Relevant information need not be admissible at trial, so long as it is reasonably calculated to lead to admissible evidence.¹

WATCH OUT · THE 2025 PROPORTIONALITY SHIFT

Florida's 2025 amendments imported the federal proportionality standard. Courts now weigh the importance of the issues, the amount in controversy, the parties' access to information, resources, and whether the burden of the discovery outweighs its likely benefit.² Sweeping "give me everything" requests are now easier to resist — and easier to get quashed.

PRACTICE POINTER

Discovery responses are generally **not filed** with the court — you serve them on the other parties and keep proof of service.³⁶ You file them only when you attach them to a motion or use them at a hearing.

THE ROAD AHEAD

Discovery follows a repeatable, six-stage path

This guide walks each stage in order. The progress bar at the top of each stage shows where you are.



1 • Plan

Decide what you need, confirm it is relevant and proportional, and identify what is privileged or work product and therefore protected.

2 • Disclose

Exchange the mandatory initial disclosures the 2025 rules now require — witnesses, documents, and a damages computation — without waiting to be asked.

3 • Request

Use the five tools: interrogatories, requests for production, requests for admission, depositions, and subpoenas to nonparties.

4 • Respond

Answer or object within the deadline, produce what is discoverable, and log what you withhold as privileged.

5 • Compel

If the other side stonewalls, confer first, then move to compel — and ask for the sanctions the rules allow.

6 • Use

Turn the answers, admissions, and documents into summary-judgment exhibits, impeachment, and trial evidence.

WATCH OUT • NEW DUTIES IN 2025

The 2025 rules added **mandatory initial disclosures** and tightened the **scope** of discovery with proportionality.³ Older Florida practice did not require disclosures at all — do not rely on out-of-date forms or guides.



STAGE 1 · PLAN

Scope, relevance, and the proportionality factors

Before you draft a single request, decide what facts you actually need to prove your claims or defenses — and whether a court would call the request proportional.

Start from your claims and defenses. For each element you must prove, ask: what document, answer, or admission would establish it? That keeps your discovery **relevant** and focused, instead of a fishing expedition a court can shut down.

The six proportionality factors

1 Importance of the issues

How much the requested information matters to the stakes of the case.

2 Amount in controversy

Discovery in a \$9,000 case should not look like discovery in a \$9 million case.

3 Access & resources

Who already has the information, and each party's relative ability to obtain it.

4 Burden vs. benefit

Whether the effort and expense of the discovery outweigh its likely value to resolving the dispute.²

PRACTICE POINTER · SEQUENCE SMARTLY

There is no fixed order, and one party's discovery does not have to wait for another's.²⁹ A common efficient sequence is: serve interrogatories and requests for production first to learn the landscape, use requests for admission to lock down undisputed facts, then take depositions armed with the documents.



STAGE 1 · PLAN

When discovery happens: timing and the case management order

Discovery is not open-ended. Under the 2025 rules, a case management order sets the clock — and you plan everything backward from it.

Soon after a case is filed, the court assigns it to a track — **streamlined, general, or complex** — and enters a **case management order** (CMO) with firm deadlines, including a date by which **discovery must be completed**.⁴¹ A plaintiff may generally serve discovery with or shortly after the complaint once the case is underway, and **initial disclosures** come due on the CMO’s early timeline.⁴

Plan backward from the discovery cutoff

Because most written discovery carries a **30-day** response window, serve it early enough that the responses come due *before* the discovery deadline. A request served too close to the cutoff may never be answered in time — and depositions and any motions to compel take longer still, so leave room.

WATCH OUT · THE CASE MANAGEMENT ORDER CONTROLS YOUR CLOCK

Treat the CMO as the master schedule. Calendar the discovery-completion date the day you receive it, then work backward through your written discovery, depositions, and any motions to compel. Deadlines are strictly enforced, and the parties “may not unilaterally extend” them.

⁴²



STAGE 1 · PLAN

What you do *not* have to hand over: privilege & work product

Two protections keep some information out of discovery even when it is relevant. Knowing them protects you — and tells you what to ask the other side to justify withholding.

Attorney-client privilege

Confidential communications between you and your lawyer made to obtain legal advice are privileged and need not be disclosed.⁷ For a corporation, Florida applies the *Deason* factors to decide whether a communication qualifies — including whether it was made for legal advice at the direction of a superior and kept confidential.⁸

Work product

Materials prepared in anticipation of litigation — your notes, strategy, and analysis — are protected work product. The doctrine traces to *Hickman v. Taylor*, which shielded a lawyer’s witness interviews from discovery.⁶ A party may reach *fact* work product only by showing substantial need and an inability to obtain the equivalent without undue hardship; *opinion* work product — mental impressions and legal theories — is almost never discoverable.⁵

WATCH OUT · DON'T WAIVE IT

Privilege can be **waived** by voluntary disclosure. Forwarding a privileged email to a friend, or discussing your lawyer’s advice with a third party, can destroy the protection. Keep privileged communications confidential, and when you withhold something, list it on a privilege log (Stage 4).



STAGE 2 · DISCLOSE

Mandatory initial disclosures NEW 2025

For the first time in Florida practice, the 2025 rules require parties in many cases to hand over core information automatically — before any request is served.

Each party must disclose, without waiting to be asked: the **names and contact information** of individuals likely to have discoverable information the party may use to support its claims or defenses; a **copy or description** of documents the party may use; and a **computation of each category of damages**, with the supporting materials.³

These disclosures are due early — tied to the case-management timeline — and must be **supplemented** as new information appears.⁴ You disclose what *you* may use; you do not have to volunteer the other side’s evidence.

PRACTICE POINTER · DISCLOSURE IS LEVERAGE

Treat initial disclosures as a free preview. The other side must tell you their witnesses and key documents up front — mine that list to aim your interrogatories and document requests, and to spot anyone you should depose.

WATCH OUT · THE EXCLUSION RISK

A witness or document a party fails to disclose (and later fails to supplement) can be **excluded** at trial. Florida courts weigh surprise, prejudice, and bad faith before excluding a witness,³¹ but the safest course is to disclose fully and supplement promptly.



STAGE 2 · TEMPLATE

Sample: Initial Disclosures

Disclosures are served, not filed. Replace each highlighted field with your own information, and supplement as the case develops.

TEMPLATE · INITIAL DISCLOSURES

Fill in the highlighted fields — do not file as-is

PLAINTIFF'S INITIAL DISCLOSURES

Pursuant to Florida Rule of Civil Procedure 1.280(a), **NAME** makes the following initial disclosures based on information reasonably available:

A. Individuals likely to have discoverable information:

1. **Name, address, phone – subjects of knowledge**
2. **Name, address, phone – subjects of knowledge**

B. Documents the disclosing party may use to support its claims:

Category – e.g., the contract dated [date]; invoices; photographs

C. Computation of damages:

Category and amount – e.g., unpaid invoices \$[amount]; attach supporting records

/s/ **Your Name Your Full Name**, Self-Represented

Certificate of Service: I certify that on

DATE a copy was served on all parties via the Florida Courts E-Filing Portal.



STAGE 3 · REQUEST

The five discovery tools — and what each is for

Florida gives you five formal ways to get information. Each has its own rule, its own deadline, and its own best use.

a Interrogatories

Written questions the other *party* must answer in writing, under oath. Best for names, dates, account numbers, and “identify every...” questions. Limited to 30, including subparts.⁹

b Requests for production

Demands for documents, records, and electronically stored information. The workhorse of most cases — contracts, emails, invoices, photos.¹¹

c Requests for admission

Statements the other side must admit or deny. Powerful: anything not answered in time is **deemed admitted**.¹³

d Depositions

Live, sworn questioning of a party or witness, recorded by a court reporter. The only tool that reaches *nonparty* witnesses and lets you follow up in real time.¹⁶

e Subpoenas

Commands to a nonparty to produce documents or appear for deposition — how you reach banks, employers, and other outsiders.¹⁸

PRACTICE POINTER

Interrogatories, requests for production, and requests for admission go only to **parties**. To get documents or testimony from a **nonparty**, you need a subpoena (or the nonparty production procedure on the next pages).



STAGE 3 · REQUEST

Interrogatories: written questions under oath

Interrogatories are the cheapest way to pin down names, dates, numbers, and the other side’s version of events — in writing, signed under oath.

A party may serve up to **30 interrogatories**, including subparts, without leave of court.⁹ Each must be answered separately and fully in writing under oath within the response deadline, or objected to with the reasons stated.

Form vs. special interrogatories

Florida’s rules include **standard form interrogatories** for common case types (such as auto-negligence) that you can adapt; everything else is a **special interrogatory** you draft for your case.

PRACTICE POINTER · THE RECORDS OPTION

When the answer can be derived from business records, the responding party may — instead of writing it out — produce the records and let you find it, if the burden is substantially the same for both sides.¹⁰ Anticipate this: ask for the records too.

WATCH OUT · MAKE THE 30 COUNT

Because subparts count toward the 30-question limit, a single “identify each communication and state its date, author, recipients, and substance” can burn several. Draft tightly — or seek agreement or leave for more.



STAGE 3 · TEMPLATE

Sample: Interrogatories

Number each question, keep subparts minimal (they count toward 30), and tie every question to a fact you must prove.

TEMPLATE · INTERROGATORIES

Fill in the highlighted fields — do not file as-is

PLAINTIFF'S FIRST INTERROGATORIES TO DEFENDANT

Pursuant to Florida Rule of Civil Procedure 1.340, **NAME** requests that **DEFENDANT** answer the following interrogatories separately, fully, in writing, and under oath within 30 days:

1. State your full legal name and any other names you have used.
2. Identify each person with knowledge of **the events of [date/subject]**, and state the subject of each person's knowledge.
3. Identify every document relating to **[the transaction/claim]**.
4. **[Your tailored question – tie it to an element you must prove.]**

/s/ **Your Name Your Full Name**, Self-Represented

Certificate of Service: I certify that on

DATE a copy was served on all parties via the Florida Courts E-Filing Portal. (Interrogatories are served, not filed.)



STAGE 3 · REQUEST

Requests for production — documents and electronic records

Most cases turn on documents. A request for production makes the other party hand over the contracts, emails, invoices, and data that prove what happened.

A party may request that another party produce and permit inspection of documents and tangible things — and **electronically stored information** (ESI) — within the scope of discovery.¹¹ The responding party must produce them as kept in the ordinary course of business or organized to correspond to the categories in the request.

Electronically stored information

You may specify the **form** in which ESI is produced — for example, native files or searchable PDFs. If you do not, the producing party must use a form in which the information is ordinarily maintained or a reasonably usable form.¹²

PRACTICE POINTER · DEFINE YOUR TERMS

Begin the request with clear definitions (“document,” “communication,” the relevant “time period”) and a short instruction on ESI form. Tight definitions prevent the cramped, literal responses that hide the document you actually need.

WATCH OUT · PROPORTIONALITY APPLIES HERE TOO

“All documents relating to the company since 2010” invites a proportionality objection. Bound every request by subject and time period so a judge sees it as targeted, not a fishing expedition.



STAGE 3 · TEMPLATE

Sample: Request for Production

Lead with definitions and a time period, then list bounded categories.

Specify the form for electronic records.

TEMPLATE · REQUEST FOR PRODUCTION

Fill in the highlighted fields — do not file as-is

PLAINTIFF'S FIRST REQUEST FOR PRODUCTION TO DEFENDANT

Pursuant to Florida Rule of Civil Procedure 1.350, **NAME** requests that **DEFENDANT** produce the following for inspection and copying within 30 days:

Definitions: "Document" includes electronically stored information. "Relevant period" means **[start]** to **[end]**.

1. The **[contract/agreement]** and all drafts and amendments.
2. All communications between the parties concerning **[subject]** during the relevant period.
3. All **invoices, statements, or records** relating to **[the claim]**.

ESI shall be produced as **searchable PDF or native files**.

/s/ **Your Name Your Full Name**, Self-Represented

Certificate of Service: I certify that on

DATE a copy was served on all parties via the Florida Courts E-Filing Portal.



STAGE 3 · REQUEST

Requests for admission — the quiet power tool

Requests for admission narrow the case by forcing the other side to admit or deny specific facts — and the penalty for ignoring them is severe.

A party may serve written requests that another party admit the truth of facts, the application of law to fact, or the genuineness of documents.¹³ The matter is admitted unless, within **30 days**, the responding party serves a written answer or objection.¹³ **An unanswered request is deemed admitted** — and an admission conclusively establishes the matter for the case.¹⁴

PRACTICE POINTER · AUTHENTICATE YOUR DOCUMENTS

Use admissions to authenticate exhibits in advance: “Admit that Exhibit A is a true and correct copy of the contract you signed on [date].” A single admission can save you a fight over admissibility at trial or on summary judgment.

WATCH OUT · CALENDAR THE 30 DAYS — BOTH WAYS

If *you* are served with requests for admission, missing the 30-day deadline can deem damaging facts admitted. Courts may allow a late answer in some circumstances, but never count on it — calendar the deadline the day you are served.



STAGE 3 · TEMPLATE

Sample: Requests for Admission

Keep each request to a single, simple fact so it cannot be evaded with a partial answer.

TEMPLATE · REQUESTS FOR ADMISSION

Fill in the highlighted fields — do not file as-is

PLAINTIFF'S FIRST REQUESTS FOR ADMISSION TO DEFENDANT

Pursuant to Florida Rule of Civil Procedure 1.370, **NAME** requests that **DEFENDANT** admit, within 30 days, the truth of the following:

1. Admit that you signed the **[contract]** on **[date]**.
2. Admit that Exhibit A is a true and correct copy of that **[contract]**.
3. Admit that you **[did/failed to do the key act – e.g., did not pay invoice #123]**.
4. **[Additional fact you want established conclusively.]**

/s/ **Your Name Your Full Name**, Self-Represented

Certificate of Service: I certify that on

DATE a copy was served on all parties via the Florida Courts E-Filing Portal.



STAGE 3 · REQUEST

Depositions — and the corporate representative

A deposition is live, sworn questioning recorded by a court reporter. It is the only tool that reaches nonparty witnesses and lets you follow up on the spot.

Any party may take the deposition of a party or witness by oral examination on reasonable notice; a nonparty is compelled to attend by subpoena.¹⁶ The testimony is transcribed and may be used at hearings and trial — to impeach a witness who changes their story, or as substantive evidence in defined circumstances.²⁸

Deposing an organization

To depose a company, you may name the **organization** and describe the topics; the company must then designate one or more people to testify about those topics on its behalf.¹⁵ Describe the matters for examination with **reasonable particularity** — vague topics invite a motion for protective order.

PRACTICE POINTER · DEPOSE LAST, ARMED

Take depositions *after* you have the documents and interrogatory answers. Walking in with the paper trail lets you confront a witness with their own records — far more effective than asking blind.



STAGE 3 · REQUEST

Reaching outsiders: the four kinds of subpoena

Banks, employers, doctors, and other nonparties hold records and testimony you may need. A subpoena is how you reach them — and it comes in several forms, each for a different job.

1 Deposition subpoena (testimony)

Commands a nonparty to appear and give sworn testimony at a deposition. Issued under Rule 1.410 and served with a reasonable time to comply.¹⁸

2 Subpoena duces tecum (documents at a deposition)

A subpoena that also commands the witness to *bring* specified documents to the deposition — testimony and records in one step.

3 Documents only, no deposition (Rule 1.351)

Get documents from a nonparty **without** a deposition: first serve the other parties a notice of intent and the proposed subpoena, wait the required time for objections, then the subpoena issues. The efficient way to get bank or medical records.¹⁷

4 Trial or hearing subpoena

Commands a witness to appear and testify at trial or an evidentiary hearing — issued as the date approaches, not during the discovery phase.

Whatever the type, a subpoena must allow a **reasonable time** to comply and must not impose an **undue burden**; the proportionality sensibility that governs party discovery applies to outsiders too. Bound every document subpoena by subject and date.

WATCH OUT · SERVE THE NOTICE FIRST (DOCUMENTS-ONLY SUBPOENAS)

For a Rule 1.351 document subpoena, skipping the advance notice to the other parties is a common, fatal misstep — it denies them the chance to object and can get your subpoena quashed and the records suppressed. Follow the notice-and-wait sequence exactly.



STAGE 4 · RESPOND

Answering — and objecting — on time

When discovery is served on you, the clock starts. Most written discovery carries a 30-day response window, extended by five days when you were served by mail or e-mail.

For each interrogatory, request for production, or request for admission, you must **answer** fully or state a specific **objection** with the grounds. Answers to interrogatories are signed under oath; objections are signed by the party or attorney. You generally serve, not file, your responses.

Valid objections, briefly stated

Common, legitimate objections include that a request seeks privileged matter, is not proportional to the needs of the case, is vague or overbroad as to time or subject, or seeks information equally available to the requesting party. State the objection, then — where appropriate — answer to the extent the request is proper.

WATCH OUT · BOILERPLATE OBJECTIONS FAIL

Reflexive objections — “vague, overbroad, burdensome” with no explanation — are routinely overruled and can draw sanctions. Tie each objection to *this* request and explain why; if part of a request is proper, answer that part.



STAGE 4 · RESPOND

Withholding for privilege? Log it.

You may withhold privileged or work-product material — but only if you tell the other side what you are withholding, in enough detail for them to assess the claim.

When a party withholds otherwise discoverable information by claiming privilege or work-product protection, it must expressly make the claim and **describe the nature** of the withheld documents in a way that, without revealing the protected content, lets other parties assess the claim.²⁵ That description is the *privilege log*.

What a log entry needs

For each withheld item, identify the date, the type of document, the author and recipients, and the basis for the claim (attorney-client privilege or work product) — enough to show the protection applies, nothing more.

PRACTICE POINTER · LOG AS YOU GO

Build the log while you review documents, not after. A prompt, specific log heads off a motion to compel; a missing or vague log can itself be treated as a waiver of the privilege.



STAGE 4 · TEMPLATE

Sample: Privilege Log

One row per withheld document. Give enough detail to justify the claim — never the privileged content itself.

TEMPLATE · PRIVILEGE LOG

Fill in the highlighted fields — do not file as-is

PRIVILEGE LOG

The following documents are withheld from production on the basis stated:

No.	Date	Type	Author / Recipients	Basis
1	[date]	E-mail	[you] to [your atty]	Attorney-client
2	[date]	Memo	[atty] work file	Work product
3	[date]	[type]	[author/recipients]	[basis]

/s/ Your Name Your Full Name, Self-Represented



STAGE 5 · COMPEL

When they stonewall: confer, then compel

If the other side ignores discovery or hides behind boilerplate, the rules give you a remedy — but you must try to resolve it first.

Before moving to compel, you must **confer in good faith** with the other party to try to resolve the dispute, and certify that you did.²⁰ If conferral fails, you may move for an order compelling answers or production.¹⁹ If the court grants your motion, it must generally **award your reasonable expenses**, including any attorney’s fees, unless the opposition was substantially justified.¹⁹

When the court orders compliance and it is ignored

If a party violates a discovery order, the court may impose escalating sanctions — from deeming facts established, to striking pleadings, to dismissing the case or entering a default.²¹ The most severe sanctions require a finding of **willful or deliberate** disregard,²² and courts weigh the six *Kozel* factors before dismissing for an attorney’s conduct.²³

WATCH OUT · SANCTIONS CUT BOTH WAYS

Failing to admit something you should have admitted, then losing the point, can cost you the other side’s expenses of proving it.⁴⁰ Discovery obligations are mutual — respond carefully to what is served on you.



STAGE 5 · TEMPLATE

Sample: Motion to Compel

Note the certificate of conferral — without a good-faith effort to resolve the dispute first, the motion can be denied.

TEMPLATE · MOTION TO COMPEL

Fill in the highlighted fields — do not file as-is

PLAINTIFF'S MOTION TO COMPEL DISCOVERY

Introduction. **NAME** moves under Florida Rule of Civil Procedure 1.380 to compel **DEFENDANT** to respond to **[Interrogatories / Request for Production]** served on **[date]**, and states:

Background. Responses were due **[date]**. To date, **DEFENDANT** has **[served no response / served only boilerplate objections to Nos.]**.

Argument. The requested information is relevant and proportional, and the objections lack the required specificity. **[Explain briefly per request.]**

Conclusion. Movant requests an order compelling complete responses within 10 days and awarding reasonable expenses under Rule 1.380(a).

Certificate of Conferral: I certify that I conferred with the opposing party on **[date]** in a good-faith effort to resolve this dispute, which was unsuccessful.

/s/ **Your Name Your Full Name**, Self-Represented



STAGE 6 · USE

Turning discovery into a win

Discovery is only as valuable as what you do with it. The answers, admissions, and documents you gather become the evidence that resolves the case.

Summary judgment

Admissions, authenticated documents, and deposition testimony are the raw material of a summary-judgment motion or response. Under Florida’s current standard, the record you build in discovery is what shows whether a genuine dispute of material fact exists.³⁹

Impeachment and trial

A deposition transcript lets you confront a witness who changes their story at trial; an admission conclusively establishes its fact; produced documents come in as exhibits once authenticated — often by the very admissions you obtained.

PRACTICE POINTER · BUILD BACKWARD FROM TRIAL

For every element you must prove, ask now: which discovery response, admission, or exhibit proves it? If the answer is “none yet,” you know exactly what discovery to serve while there is still time.

WATCH OUT · MIND THE DISCOVERY CUTOFF

Discovery must be completed within the deadlines in the case management order, and the 2025 rules disfavor extensions. Serve written discovery early enough that the 30-day response window closes before the cutoff.

BEFORE YOU SERVE

A quick discovery checklist

- I tied each request to a claim or defense I must prove.
- Every request is relevant and bounded by subject and time period (proportional).
- I served my mandatory initial disclosures and will supplement them.
- My interrogatories (with subparts) stay within the 30-question limit.
- I specified the form for any electronically stored information.
- I calendared every 30-day response deadline — mine and theirs.
- I am logging anything I withhold for privilege or work product.
- Before any motion to compel, I conferred in good faith and documented it.

Where to find Florida law — for free

[Rules of Civil Procedure — floridabar.org/rules](https://floridabar.org/rules)

[Evidence Code \(Ch. 90\) — flsenate.gov/Laws/Statutes](https://flsenate.gov/Laws/Statutes)

[Court opinions — flcourts.gov](https://flcourts.gov)

[Florida Courts Help / DIY Florida](#)

[Court & discovery forms — forms.justia.com/florida](https://forms.justia.com/florida)

[Free case law — Google Scholar](#)

PRACTICE POINTER · ALWAYS VERIFY LOCALLY

Rules and procedures change, and every circuit and judge has local requirements and discovery limits. Before serving or moving, confirm the current rule, your circuit's administrative orders, and the judge's procedures. For more OLSI guides, visit www.openlawservices.org.

SOURCES & AUTHORITIES

Endnotes

Every legal proposition in this guide is grounded in the authorities below, cited in Bluebook form and verified against official Florida sources as of June 2026.

- 1 Fla. R. Civ. P. 1.280(c) (2025) (scope: relevant, nonprivileged, and proportional matter). [↗](#)
- 2 Fla. R. Civ. P. 1.280(c)(1) (2025) (proportionality factors). [↗](#)
- 3 Fla. R. Civ. P. 1.280(a) (2025) (required initial disclosures); *In re Amendments to Florida Rules of Civil Procedure*, 386 So. 3d 497 (Fla. 2024), eff. Jan. 1, 2025. [↗](#)
- 4 Fla. R. Civ. P. 1.280(a)(3) (2025) (timing and duty to supplement disclosures). [↗](#)
- 5 Fla. R. Civ. P. 1.280(d) (2025) (trial-preparation materials; opinion work product). [↗](#)
- 6 *Hickman v. Taylor*, 329 U.S. 495, 510–14 (1947) (work-product doctrine). [↗](#)
- 7 § 90.502, Fla. Stat. (2025) (lawyer-client privilege). [↗](#)
- 8 *Southern Bell Telephone & Telegraph Co. v. Deason*, 632 So. 2d 1377, 1383 (Fla. 1994) (corporate attorney-client privilege factors). [↗](#)
- 9 Fla. R. Civ. P. 1.340(a) (2026) (interrogatories to parties; limit of 30 including subparts). [↗](#)
- 10 Fla. R. Civ. P. 1.340(c) (2026) (option to produce business records). [↗](#)
- 11 Fla. R. Civ. P. 1.350(a) (2026) (production of documents and things, including ESI). [↗](#)
- 12 Fla. R. Civ. P. 1.350(b) (2026) (form of production of electronically stored information). [↗](#)
- 13 Fla. R. Civ. P. 1.370(a) (2026) (requests for admission; matter admitted absent timely response). [↗](#)
- 14 Fla. R. Civ. P. 1.370(b) (2026) (effect of admission; conclusively established). [↗](#)
- 15 Fla. R. Civ. P. 1.310(b)(6) (2026) (deposition of an organization through designated representatives). [↗](#)
- 16 Fla. R. Civ. P. 1.310(a) (2026) (depositions upon oral examination; nonparty by subpoena). [↗](#)
- 17 Fla. R. Civ. P. 1.351 (2026) (production of documents from nonparties without deposition; notice procedure). [↗](#)
- 18 Fla. R. Civ. P. 1.410 (2026) (subpoenas; production and deposition of nonparties). [↗](#)
- 19 Fla. R. Civ. P. 1.380(a) (2026) (motion to compel; award of expenses). [↗](#)
- 20 Fla. R. Civ. P. 1.380(a)(2) (2026) (good-faith conferral required before motion to compel). [↗](#)
- 21 Fla. R. Civ. P. 1.380(b) (2026) (sanctions for failure to obey a discovery order). [↗](#)

SOURCES & AUTHORITIES (CONTINUED)

Endnotes

- 1 *Mercer v. Raine*, 443 So. 2d 944, 946 (Fla. 1983) (severe sanctions require willfulness). [↵](#)

- 2 *Kozel v. Ostendorf*, 629 So. 2d 817, 818 (Fla. 1993) (six factors before dismissal). [↵](#)

- 3 *Ham v. Dunmire*, 891 So. 2d 492, 500 (Fla. 2004) (applying *Kozel*). [↵](#)

- 4 Fla. R. Civ. P. 1.280(e) (2025) (claims of privilege; description of withheld materials — privilege log). [↵](#)

- 5 Fla. R. Civ. P. 1.390 (2026) (expert-witness discovery). [↵](#)

- 6 Fla. R. Civ. P. 1.360 (2026) (examination of persons). [↵](#)

- 7 Fla. R. Civ. P. 1.330 (2026) (use of depositions in court proceedings). [↵](#)

- 8 Fla. R. Civ. P. 1.280(f) (2025) (sequence and timing of discovery). [↵](#)

- 9 Fla. R. Gen. Prac. & Jud. Admin. 2.516 (2026) (service of pleadings and documents). [↵](#)

- 10 *Binger v. King Pest Control*, 401 So. 2d 1310, 1313–14 (Fla. 1981) (exclusion of undisclosed witnesses; surprise and prejudice). [↵](#)

- 11 *Elkins v. Syken*, 672 So. 2d 517, 521 (Fla. 1996) (limits on expert financial discovery). [↵](#)

- 12 *Allstate Insurance Co. v. Boecher*, 733 So. 2d 993, 997 (Fla. 1999) (discovery of expert’s relationship with a party). [↵](#)

- 13 Fla. R. Civ. P. 1.280(g) (2025) (protective orders). [↵](#)

- 14 § 90.5021, Fla. Stat. (2025) (lawyer-client privilege in fiduciary context). [↵](#)

- 15 Fla. R. Civ. P. 1.340(e) (2026) (interrogatories served, not filed, absent court use). [↵](#)

- 16 *TIG Insurance Corp. of America v. Johnson*, 799 So. 2d 339, 341 (Fla. 4th DCA 2001) (work-product protection). [↵](#)

- 17 *Martin-Johnson, Inc. v. Savage*, 509 So. 2d 1097, 1099–1100 (Fla. 1987) (certiorari review where discovery would let the “cat out of the bag”). [↵](#)

- 18 Fla. R. Civ. P. 1.510(c) (2026) (summary-judgment record; current standard). [↵](#)

- 19 Fla. R. Civ. P. 1.380(c) (2026) (expenses for failure to admit the truth of a matter later proved). [↵](#)

- 20 Fla. R. Civ. P. 1.200 (2025) (case management; assignment to streamlined, general, or complex tracks; case-management order setting discovery and other deadlines). [↵](#)

- 21 Fla. R. Civ. P. 1.200(e) (2025) (deadlines strictly enforced; parties may not unilaterally extend; continuances of trial disfavored under Fla. R. Civ. P. 1.460). [↵](#)

A note on citations: Florida rules are periodically renumbered — the 2025 amendments moved several discovery provisions into Rule 1.280 — so where an older case cites a former subdivision, this guide pins the current numbering. Always confirm the current text of any rule, statute, or case before relying on it.