

Supreme Court of Florida

No. SC2025-1053

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

October 1, 2026

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 The proposed amendments revise rule 1.280(k) (Signing Disclosures and Discovery Requests; Responses; and Objections) to more closely align with Federal Rule of Civil Procedure 26(g) (Signing Disclosures and Discovery Requests, Responses, and Objections). The Committee and the Court separately published the proposed amendments for comment. No comments were received in response to either publication.

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

The Court, having considered the Committee’s report, hereby amends rule 1.280(k) as proposed by the Committee. The rule is reorganized into separate subdivisions, and new subdivision (k)(2) (Failure to Sign) is added. The new subdivision, which tracks federal rule 26(g)(2), states that “[o]ther parties have no duty to act on an unsigned disclosure, request, response, or objection until it is signed, and the court must strike it unless a signature is promptly supplied after the omission is called to the attorney’s or party’s attention.”

Accordingly, the Florida Rules of Civil Procedure are amended as set forth in the appendix to this opinion. New language is indicated by underscoring; deletions are indicated by struck-through type. The amendments become effective on January 1, 2027, at 12:01 a.m.

It is so ordered.

COURIEL, C.J., and LABARGA, MUÑIZ, GROSSHANS, FRANCIS, BARRIOS, and TANENBAUM, JJ., concur.

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

Original Proceeding – Florida Rules of Civil Procedure

Thomas Edward Bishop, Chair, Civil Procedure Rules
Committee, Jacksonville, Florida, Maegen Peek Luka, Past Co-
Chair, Civil Procedure Rules Committee, Tampa, Florida,
Rebecca Mercier Vargas, Past Co-Chair, Civil Procedure Rules
Committee, Palm Beach Gardens, Florida, Joshua E. Doyle,
Executive Director, The Florida Bar, Tallahassee, Florida, and
Heather Savage Telfer, Bar Liaison, The Florida Bar,
Tallahassee, Florida,

for Petitioner

APPENDIX

RULE 1.280. GENERAL PROVISIONS GOVERNING DISCOVERY

(a) – (j) [No Change]

(k) Signing Disclosures and Discovery Requests; Responses; and Objections.

(1) Signature Required; Effect of Signature. Every initial discovery disclosure under subdivision (a) of this rule and every discovery request, response, or objection made by a party represented by an attorney must be signed by at least 1 attorney of record and must include the attorney's address, e-mail address, and telephone number. A self-represented litigant must sign the request, response, or objection and must include the self-represented litigant's address, e-mail address, and telephone number. By signing, an attorney or self-represented litigant certifies that to the best of the person's knowledge, information, and belief formed after a reasonable inquiry:

(1A) with respect to a disclosure, it is complete and correct as of the time it is made; and

(2B) with respect to a discovery request, response, or objection, it is:

(Ai) consistent with these rules and warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law;

(Bii) not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation; and

(Ciii) not unreasonable or unduly burdensome or expensive, given the needs of the case, the discovery already had in the case, the amount in controversy, and the importance of the issues at stake in the litigation.

~~No party has a duty to act on an unsigned disclosure, request, response, or objection until it is signed.~~

(2) *Failure to Sign.* Other parties have no duty to act on an unsigned disclosure, request, response, or objection until it is signed, and the court must strike it unless a signature is promptly supplied after the omission is called to the attorney's or party's attention.

(3) *Sanction for Improper Certification.* If a certification violates this rule without substantial justification, the court, on motion or on its own, must impose an appropriate sanction on the signer, the party on whose behalf the signer was acting, or both. The sanction may include an order to pay the reasonable expenses, including attorney's fees, caused by the violation.

Committee Notes

[No Change]

Court Commentary

[No Change]