

Index

ABUSE OF PROCESS

- Generally, §§ **1201:1, 1201:2**
- Defenses to actions and claims, § **1201:2**
- Prima facie case, § **1201:1**

ACCORD AND SATISFACTION

- Generally, §§ **304:2, 501:2**
- Defenses to actions and claims, §§ **304:2, 501:2, 806:2**

ACCOUNT STATED ACTIONS

- Complaint forms, § **801:4**
- Defenses to actions and claims, § **801:2**
- Jury instruction forms, § **801:6**
- Prima facie case, § **801:1**
- Research assistance, § **801:3**
- Verdicts, findings, and awards, § **801:5**

ACCOUNTING, ACTION FOR

- Generally, §§ **1001:1 to 1001:4**
- Defenses to actions and claims, § **1001:2**
- Jury instructions, § **1001:4**
- Prima facie case, § **1001:1**
- Research assistance, § **1001:3**

ACCOUNTS AND ACCOUNTING

- Account stated actions, §§ **801:1 to 801:6**
- Equitable accountings, §§ **1001:1 to 1001:4**
- Open account actions, §§ **806:1 to 806:7**

ACTION AGAINST INSURER

- Determine coverage after coverage denial
 - Elements of insured's claim
 - After total coverage denial of a claim
 - against insurer for declaratory judgment, § **2204:1**

AD VALOREM TAXATION

- Homestead exemption, §§ **1901:1 to 1901:3**

ADOPTION

- Equitable or Virtual Adoption, this index

ADVERTISING FRAUD

- Generally, §§ **502:1 to 502:5**
- Defenses to actions and claims, § **502:2**
- Jury instruction forms, § **502:5**
- Prima facie case, § **502:1**

ADVERTISING FRAUD—Cont'd

Research assistance, § 502:3

Verdicts, findings, and awards, § 502:4

AFFIRMATIVE DEFENSES

Defenses to Actions and Claims, this index

ALIMONY

Generally, §§ 304:1 to 304:4

Defenses to actions and claims, § 304:2

Prima facie case, § 304:1

Research assistance, § 304:3

ALL ELEMENTS PLEADING RULE

Generally, §§ 301:2, 304:2

“ALL WRITS” POWER

Constitutional writ, § 1704:1

ALTER EGO LIABILITY

Complaint forms, § 807:4

Defenses to actions and claims, § 807:2

Prima facie case, § 807:1

Research assistance, § 807:3

ANIMALS

Dog bite claims, §§ 201:1 to 201:6

Negligent infliction of injury by, § 1412:4

Pet dealers, claims against, §§ 202:1 to 202:3

Viciousness, § 201:1

ANSWER

Generally, § 102:2

ANTITRUST VIOLATIONS

Generally, §§ 401:1 to 401:4

Defenses to actions and claims, § 401:2

Jury instruction forms, § 401:4

Price discrimination, §§ 503:1 to 503:3

Prima facie case, § 401:1

Research assistance, § 401:3

ASSAULT

Generally, §§ 1301:1 to 1301:5

Defenses to actions and claims, § 1301:2

Jury instruction forms, § 1301:5

Prima facie case, § 1301:1

Research assistance, § 1301:3

Verdicts, findings, and awards, § 1301:4

ASSISTED LIVING FACILITY ABUSE AND NEGLIGENCE

Statutes governing, § 1411:1

INDEX

ASSUMPTION OF RISK

Generally, §§ 305:2, 703:2

ATTORNEY FEES

Elements of pre-July 2023 claim, § 2202:1

Insured's action against its insurer

Elements of pre-July 2023 claim, § 2202:1

AUTOMOBILES

Negligent operation of, §§ 1406:1 to 1406:3

AWARDS

Verdicts, Findings, and Awards, this index

BAD CHECK ACTIONS

Generally, §§ 802:1 to 802:6

Complaint forms, § 802:5

Defenses to actions and claims, § 802:2

Demand letters, § 802:4

Jury instruction forms, § 802:6

Prima facie case, § 802:1

Research assistance, § 802:3

BAD FAITH

Generally, § 504:1

Claim against insurer for bad faith

Elements of insured's claim, § 2203:1

BANKRUPTCY

Defenses to actions and claims, § 805:2

BANKS AND BANKING

Bad check actions, §§ 802:1 to 802:6

Promissory notes, actions on, §§ 808:1 to 808:5

BATTERY

Generally, §§ 1302:1 to 1302:5

Defenses to actions and claims, § 1302:2

Interspousal tort immunity, § 301:2

Jury instruction forms, § 1302:5

Prima facie case, § 1302:1

Research assistance, § 1302:3

Verdicts, findings, and awards, § 1302:4

BIRTH-RELATED NEUROLOGICAL INJURIES

Generally, §§ 1404:1, 1404:2

CERTIORARI

Prima facie case for writ, § 1705:1

CHARGING LIEN

Liens, this index

CHECK COLLECTIONS

Bad Check Actions, this index

CHILD CUSTODY

Generally, §§ 302:1 to 302:3

Defenses to actions and claims, § 302:2

Prima facie case, § 302:1

Research assistance, § 302:3

CHILD SUPPORT

Generally, §§ 303:1 to 303:7

Complaint form, § 304:4

Defenses to actions and claims, § 303:5

Dissolution actions, § 303:2

Modifications, § 303:4

Prima facie case, § 303:1 et seq.

Research assistance, § 303:6

Separate maintenance actions, § 304:4

Separation actions, § 303:1

Statutory guidelines, § 303:7

Unmarried parents, § 303:3

CHILDREN'S ACTS

Parental Liability for Tort of Minor, this index

CIVIL CONSPIRACY

Defenses to a claim, § 1306:2

Elements

Prima facie case of, § 1306:1

Prima facie case

Elements of, § 1306:1

CIVIL RIGHTS

Defenses, §§ 902:2, 903:2

Disability discrimination, §§ 902:1 to 902:3

Ethnicity discrimination, §§ 903:1 to 903:3

Florida Civil Rights Act, § 904:1

Prima facie case, §§ 902:1, 903:1

Race discrimination, §§ 903:1 to 903:3

Research assistance, §§ 902:3, 903:3

COLLECTIONS

Debt Collection, this index

COMMERCIAL FRUSTRATION DOCTRINE

Defenses to actions and claims, § 808:2

COMMERCIAL LAW

Generally, §§ 401:1 to 404:5

Account stated actions, §§ 801:1 to 801:6

Advertising fraud, §§ 502:1 to 502:5

Alter ego liability, §§ 807:1 to 807:4

INDEX

COMMERCIAL LAW—Cont'd

- Antitrust violations, §§ **401:1 to 401:4**
- Common law warranties, §§ **403:1 to 403:5**
- Complaint forms
 - Common law warranties, § **403:5**
 - Conversion actions, § **803:4**
 - Goods sold, action for, § **804:4**
 - Money lent, action for, § **805:4**
 - Open account actions, § **806:4**
 - Promissory note, action on, § **808:4**
 - Replevin, § **1004:4**
- Conversion actions, §§ **803:1 to 803:5**
- Corporate veil piercing, §§ **807:1 to 807:4**
- Deceptive or Unfair Trade Practices, this index
- Defenses
 - Accord and satisfaction, § **806:2**
 - Advertising fraud, § **502:2**
 - Antitrust violations, § **401:2**
 - Commercial frustration doctrine, § **808:2**
 - Common law warranties, § **403:2**
 - Conversion actions, § **803:2**
 - Goods sold, action for, § **804:2**
 - Interference with business relationship, § **404:2**
 - Interference with contractual relationship, § **606:2**
 - Misleading advertisements, § **502:2**
 - Money lent, action for, § **805:2**
 - Open account actions, § **806:2**
 - Promissory note, action on, § **808:2**
 - Replevin, § **1004:2**
 - UCC warranties, § **402:2**
 - Unconscionability, §§ **601:2, 808:2**
 - Unfair trade practices, § **501:2**
 - Unjust enrichment, § **1006:2**
- Elements
 - Advertising fraud, § **502:1**
 - Antitrust violations, § **401:1**
 - Common law warranties, § **403:1**
 - Conversion actions, § **803:1**
 - Goods sold, action for, § **804:1**
 - Interference with business relationship, § **404:1**
 - Interference with contractual relationship, § **606:1**
 - Misleading advertisements, § **502:1**
 - Money lent, action for, § **805:1**
 - Open account actions, § **806:1**
 - Promissory note, action on, § **808:1**
 - Replevin, § **1004:1**
 - UCC warranties, § **402:1**

COMMERCIAL LAW—Cont'd

Elements—Cont'd

Unfair trade practices, § 501:1

Unjust enrichment, § 1006:1

Goods sold, action for, §§ 804:1 to 804:6

Interference with business relationship, §§ 404:1 to 404:5

Interference with contractual relationship, §§ 606:1 to 606:5

Judgment form, replevin, § 1004:5

Jury instruction forms

Advertising fraud, § 502:5

Antitrust violations, § 401:4

Common law warranties, § 403:4

Conversion actions, § 803:5

Goods sold, action for, § 804:6

Interference with business relationship, § 404:5

Interference with contractual relationship, § 606:5

Misleading advertisements, § 502:5

Money lent, action for, § 805:5

Open account actions, § 806:7

Promissory note, action on, § 808:5

Replevin, § 1004:7

UCC warranties, § 402:5

Unfair trade practices, § 501:5

Unjust enrichment, § 1006:6

Jury verdict forms

Open account actions, § 806:5

Unjust enrichment, § 1006:5

Misleading advertisements, §§ 502:1 to 502:5

Money lent, action for, §§ 805:1 to 805:5

Open account actions, §§ 806:1 to 806:7

Price discrimination, §§ 503:1 to 503:3

Promissory note, action on, §§ 808:1 to 808:5

Replevin, §§ 1004:1 to 1004:7

Research assistance

Advertising fraud, § 502:3

Antitrust violations, § 401:3

Common law warranties, § 403:3

Conversion actions, § 803:3

Goods sold, action for, § 804:3

Interference with business relationship, § 404:3

Interference with contractual relationship, § 606:3

Misleading advertisements, § 502:3

Money lent, action for, § 805:3

Open account actions, § 806:3

Promissory note, action on, § 808:3

Replevin, § 1004:3

UCC warranties, § 402:3

INDEX

COMMERCIAL LAW—Cont'd

Research assistance—Cont'd

Unfair trade practices, § 501:3

Unjust enrichment, § 1006:3

Reverse piercing, §§ 807:1 to 807:4

Sales of Goods, this index

UCC warranties, §§ 402:1 to 402:5

Unconscionability defense, §§ 601:2, 808:2

Unfair trade practices. Deceptive or Unfair Trade Practices, this index

Unjust enrichment, §§ 1006:1 to 1006:6

Veil piercing, §§ 807:1 to 807:4

Verdicts, findings, and awards

Advertising fraud, § 502:4

Goods sold, action for, § 804:5

Interference with business relationship, § 404:4

Interference with contractual relationship, § 606:4

Misleading advertisements, § 502:4

Open account actions, § 806:6

Replevin, § 1004:6

UCC warranties, § 402:4

Unfair trade practices, § 501:4

Unjust enrichment, § 1006:4

COMPARATIVE NEGLIGENCE

Generally, §§ 201:2, 305:2

COMPLAINT

Generally, § 102:1

Account stated actions, § 801:4

Action for goods sold, § 804:4

Alter ego liability, § 807:4

Automobile negligence, § 1406:2

Bad check actions, § 802:5

Child support, § 304:4

Commercial Law, this index

Common law warranties, § 403:5

Contract law, § 605:4

Conversion actions, § 803:4

Corporate veil piercing, § 807:4

Debt Collection, this index

Dog bite claims, § 201:6

Equity Actions, this index

Fall-down negligence, § 1402:3

Money lent, action for, § 805:4

Negligence, this index

Open account actions, § 806:4

Promissory note, action on, § 808:4

Replevin, § 1004:4

Responding to a complaint, § 102:2

COMPLAINT—Cont'd

- Reverse piercing, § 807:4
- Sales of Goods, this index
- Separate maintenance, § 304:4
- Specific performance claims, § 605:4
- Sufficiency of complaint, motion challenging, § 102:2
- Veil piercing, § 807:4
- Worthless check claims, § 802:5

CONCEALMENT FRAUD

- Generally, §§ 504:1, 504:2

CONSTITUTIONAL WRIT (“ALL WRITS” POWER)

- Prohibition writ, § 1704:1

CONSUMER LAW

- Generally, §§ 501:1 to 506:1
- Advertising fraud, §§ 502:1 to 502:5
- Concealment fraud, §§ 504:1, 504:2
- Debt Collection, this index
- Deceptive or Unfair Trade Practices, this index
- Defenses
 - Advertising fraud, § 502:2
 - Concealment fraud, § 504:2
 - Fraud in the inducement or fraud in the performance, § 1303:2
 - Fraudulent misrepresentation, § 1304:2
 - Misleading advertisements, § 502:2
 - Pet dealers, claims against, § 202:2
 - Price discrimination, § 503:2
 - Unfair trade practices, § 501:2
 - Usury, § 505:2
- Elements
 - Advertising fraud, § 502:1
 - Concealment fraud, § 504:1
 - Fiduciary duty, breach of, § 506:1
 - Fraud in the inducement or fraud in the performance, § 1303:1
 - Fraudulent misrepresentation, § 1304:1
 - Misleading advertisements, § 502:1
 - Pet dealers, claims against, § 202:1
 - Price discrimination, § 503:1
 - Unfair trade practices, § 501:1
 - Usury, § 505:1
- Fee awards, § 501:2
- Fiduciary duty, breach of, § 506:1
- Fraud in the inducement or fraud in the performance, §§ 1303:1, 1303:2
- Fraudulent misrepresentation, §§ 1304:1, 1304:2
- Jury instruction forms
 - Advertising fraud, § 502:5
 - Misleading advertisements, § 502:5

INDEX

CONSUMER LAW—Cont'd

Jury instruction forms—Cont'd

Unfair trade practices, § 501:5

Usury, § 505:4

Misleading advertisements, §§ 502:1 to 502:5

Pet dealers, claims against, §§ 202:1 to 202:3

Price discrimination, §§ 503:1 to 503:3

Research assistance

Advertising fraud, § 502:3

Misleading advertisements, § 502:3

Pet dealers, claims against, § 202:3

Price discrimination, § 503:3

Unfair trade practices, § 501:3

Usury, § 505:3

Unconscionability, §§ 601:2, 808:2

Unfair trade practices. Deceptive or Unfair Trade Practices, this index

Usury, §§ 505:1 to 505:4

Verdicts, findings, and awards

Advertising fraud, § 502:4

Misleading advertisements, § 502:4

Unfair trade practices, § 501:4

Warranties, this index

CONTRACT LAW

Generally, §§ 601:1 to 606:5

Acceptance, § 604:1

Account stated actions, §§ 801:1 to 801:6

Breach actions

Oral contract, §§ 602:1 to 602:4

Rescission, §§ 604:1 to 604:5

Specific performance, §§ 605:1 to 605:4

Third party beneficiary claims, §§ 603:1 to 603:5

Written contract, §§ 601:1 to 601:5

Commercial frustration doctrine, § 808:2

Complaint form, § 605:4

Consideration, § 602:2

Defenses

Commercial frustration doctrine, § 808:2

Failure of consideration, § 602:2

Fraud in the inducement or fraud in the performance, § 1303:2

Fraudulent misrepresentation, § 1304:2

Illegality, § 304:2

Impossibility of performance, § 808:2

Interference with contractual relationship, § 606:2

Mistake, § 601:2

Oral contract breach, § 602:2

Repudiation, §§ 601:2, 808:2

Rescission, § 604:2

CONTRACT LAW—Cont'd

Defenses—Cont'd

- Specific Performance, this index
- Statute of frauds, § **603:2**
- Third party beneficiary claims, § **603:2**
- Unconscionability, §§ **601:2, 808:2**
- Written contract breach, § **601:2**

Elements

- Fraud in the inducement or fraud in the performance, § **1303:1**
- Fraudulent misrepresentation, § **1304:1**
- Interference with contractual relationship, § **606:1**
- Oral contract breach, § **602:1**
- Rescission, § **604:1**
- Specific performance claims, § **605:1**
- Third party beneficiary claims, § **603:1**
- Written contract breach, § **601:1**
- Fraud in the inducement or fraud in the performance, §§ **1303:1, 1303:2**
- Fraudulent misrepresentation, §§ **1304:1, 1304:2**
- Illegality defense, § **304:2**
- Impossibility of performance, § **808:2**
- Interference with contractual relationship, §§ **606:1 to 606:5**
- Jury instruction forms
 - Interference with contractual relationship, § **606:5**
 - Oral contract breach, § **602:4**
 - Rescission, § **604:5**
 - Third party beneficiary claims, § **603:5**
 - Written contract breach, § **601:5**
- Mirror image rule, §§ **601:2, 602:2**
- Mistake, § **601:2**
- Oral contract breach, §§ **602:1 to 602:4**
- Promissory note, action on, §§ **808:1 to 808:5**
- Repudiation, §§ **601:2, 808:2**
- Rescission, this index
- Research assistance
 - Interference with contractual relationship, § **606:3**
 - Oral contract breach, § **602:3**
 - Pet dealers, claims against, § **202:3**
 - Rescission, § **604:3**
 - Specific performance claims, § **605:3**
 - Third party beneficiary claims, § **603:3**
 - Written contract breach, § **601:3**
- Revocation of acceptance, § **604:1**
- Specific Performance, this index
- Statute of frauds, § **603:2**
- Third party beneficiary contracts, §§ **603:1 to 603:5**
- Unconscionability defense, §§ **601:2, 808:2**

INDEX

CONTRACT LAW—Cont'd

- Verdicts, findings, and awards
 - Interference with contractual relationship, § 606:4
 - Rescission, § 604:4
 - Third party beneficiary claims, § 603:4
 - Written contract breach, § 601:4
- Written contract breach, §§ 601:1 to 601:5

CONTRIBUTORY NEGLIGENCE

- Generally, § 305:2
- Defenses to actions and claims, §§ 305:2, 703:2

CONVERSION ACTIONS

- Generally, §§ 803:1 to 803:5
- Complaint forms, § 803:4
- Defenses to actions and claims, § 803:2
- Jury instruction forms, § 803:5
- Prima facie case, § 803:1
- Research assistance, § 803:3

CORONAVIRUS

- Causes of action and liability
 - Generally, §§ 2302:1 to 2302:5
 - Employer, § 2302:5
 - Foreign government, § 2302:1
 - Inadequate refunds, § 2302:3
 - Infection, someone other than employer causing, § 2302:4
 - Price gouging, § 2302:2
 - Tuition, § 2302:3
- Governor's response
 - Generally, §§ 107:1 to 107:21
 - Broward County, §§ 107:2, 107:15, 107:16
 - Density of workforce, § 107:21
 - Documentary stamps, SBA loans, § 107:10
 - Essential personnel, re-employment, § 107:17
 - Essential services, §§ 107:7, 107:13, 107:14
 - Foreclosure and eviction relief, §§ 107:3, 107:11
 - Gathering, private citizens, § 107:21
 - Miami-Dade County, §§ 107:2, 107:16
 - Monroe County, § 107:16
 - Municipal elections, Pasco County, § 107:9
 - Palm Beach County, §§ 107:15, 107:16
 - Public access restrictions, § 107:16
 - Re-opening, §§ 107:2, 107:4, 107:6
 - State of emergency extension, § 107:5
 - Telehealth immunizations, state group insurance, § 107:20
 - Travel, § 107:19
 - Unemployment compensation, §§ 107:8, 107:12
 - Vacation rentals, §§ 107:7, 107:18

CORONAVIRUS—Cont'd

Governor's response—Cont'd

Vulnerable population, § 107:21

Supreme Court response

Generally, §§ 106:1 to 106:16

Children under protective supervision, visitation, § 106:8

Continuity of operations, § 106:15

Distance learning, § 106:16

Electronic filing deadlines, § 106:12

Emergency procedures, § 106:4

Essential proceedings, Administrative Order AOSC20-17, § 106:5

Extension of time periods, § 106:2

Judicial education reporting deadlines, § 106:11

Language interpreters, § 106:10

Oath administration, § 106:6

State Bar regulation, § 106:14

State court system, Administrative Order AOSC20-12, § 106:3

State courts, § 106:1

State courts, Administrative Order AOSC20-23, § 106:13

Traffic court, speedy trial, § 106:9

Trial courts, essential and critical proceedings, § 106:5

CORPORATE VEIL PIERCING

Complaint forms, § 807:4

Defenses to actions and claims, § 807:2

Prima facie case, § 807:1

Research assistance, § 807:3

CORPORATIONS

Veil piercing, §§ 807:1 to 807:4

COVID-19

Causes of action and liability

Generally, §§ 2302:1 to 2302:5

Employer, § 2302:5

Foreign government, § 2302:1

Inadequate refunds, § 2302:3

Infection, someone other than employer causing, § 2302:4

Price gouging, § 2302:2

Tuition, § 2302:3

Governor's response

Generally, §§ 107:1 to 107:21

Broward County, §§ 107:2, 107:15, 107:16

Density of workforce, § 107:21

Documentary stamps, SBA loans, § 107:10

Essential personnel, re-employment, § 107:17

Essential services, §§ 107:7, 107:13, 107:14

Foreclosure and eviction relief, §§ 107:3, 107:11

Gathering, private citizens, § 107:21

INDEX

COVID-19—Cont'd

Governor's response—Cont'd

- Miami-Dade County, §§ **107:2, 107:16**
- Monroe County, § **107:16**
- Municipal elections, Pasco County, § **107:9**
- Palm Beach County, §§ **107:15, 107:16**
- Public access restrictions, § **107:16**
- Re-opening, §§ **107:2, 107:4, 107:6**
- State of emergency extension, § **107:5**
- Telehealth immunizations, state group insurance, § **107:20**
- Travel, § **107:19**
- Unemployment compensation, §§ **107:8, 107:12**
- Vacation rentals, §§ **107:7, 107:18**
- Vulnerable population, § **107:21**

Supreme Court response

- Generally, §§ **106:1 to 106:16**
- Children under protective supervision, visitation, § **106:8**
- Continuity of operations, § **106:15**
- Distance learning, § **106:16**
- Electronic filing deadlines, § **106:12**
- Emergency procedures, § **106:4**
- Essential proceedings, Administrative Order AOSC20-17, § **106:5**
- Extension of time periods, § **106:2**
- Judicial education reporting deadlines, § **106:11**
- Language interpreters, § **106:10**
- Oath administration, § **106:6**
- State Bar regulation, § **106:14**
- State court system, Administrative Order AOSC20-12, § **106:3**
- State courts, § **106:1**
- State courts, Administrative Order AOSC20-23, § **106:13**
- Traffic court, speedy trial, § **106:9**
- Trial courts, essential and critical proceedings, § **106:5**

CREDITORS AND DEBTORS

- Bad Check Actions, this index
- Debt Collection, this index
- Homestead protection from creditor claims, §§ **2001:1 to 2001:3**
- Usury, §§ **505:1 to 505:4**

CUSTODY OF CHILDREN

- Child Custody, this index

DAMAGES

- Verdicts, Findings, and Awards, this index

DEATH, ACTIONS AFTER

- Equitable or virtual adoption, §§ **701:1 to 701:4**
- Will contests, §§ **702:1 to 702:4**
- Wrongful death claims, §§ **703:1 to 703:6**

DEBT COLLECTION

Generally, §§ **801:1 to 808:5**

Account stated actions, §§ **801:1 to 801:6**

Alter ego liability, §§ **807:1 to 807:4**

Bad Check Actions, this index

Complaint forms

Account stated actions, § **801:4**

Action for money lent, § **805:4**

Bad check actions, § **802:5**

Conversion actions, § **803:4**

Goods sold, action for, § **804:4**

Open account actions, § **806:4**

Promissory note, action on, § **808:4**

Worthless check claims, § **802:5**

Conversion actions, §§ **803:1 to 803:5**

Corporate veil piercing, §§ **807:1 to 807:4**

Defenses

Accord and satisfaction, § **806:2**

Account stated actions, § **801:2**

Action for money lent, § **805:2**

Bad check actions, § **802:2**

Bankruptcy, § **805:2**

Conversion actions, § **803:2**

Goods sold, action for, § **804:2**

Open account actions, § **806:2**

Promissory note, action on, § **808:2**

Usury, § **505:2**

Wrongful garnishment, § **1203:2**

Demand letters, § **802:4**

Elements

Account stated actions, § **801:1**

Action for money lent, § **805:1**

Bad check actions, § **802:1**

Conversion actions, § **803:1**

Goods sold, action for, § **804:1**

Open account actions, § **806:1**

Promissory note, action on, § **808:1**

Worthless check claims, § **802:1**

Wrongful garnishment, § **1203:1**

Goods sold, action for, §§ **804:1 to 804:6**

Jury instruction forms

Account stated actions, § **801:6**

Action for money lent, § **805:5**

Conversion actions, § **803:5**

Goods sold, action for, § **804:6**

Open account actions, § **806:7**

Promissory note, action on, § **808:5**

INDEX

DEBT COLLECTION—Cont'd

- Jury instruction forms—Cont'd
 - Worthless check actions, § 802:6
- Jury verdict forms, § 806:5
- Money lent, action for, §§ 805:1 to 805:5
- Open account actions, §§ 806:1 to 806:7
- Promissory note, action on, §§ 808:1 to 808:5
- Research assistance
 - Account stated actions, § 801:3
 - Action for money lent, § 805:3
 - Bad check actions, § 802:3
 - Conversion actions, § 803:3
 - Goods sold, action for, § 804:3
 - Open account actions, § 806:3
 - Promissory note, action on, § 808:3
 - Wrongful garnishment, § 1203:3
- Reverse piercing, §§ 807:1 to 807:4
- Usury defense, § 505:2
- Veil piercing, §§ 807:1 to 807:4
- Verdicts, findings, and awards
 - Account stated actions, § 801:5
 - Goods sold, action for, § 804:5
 - Open account actions, § 806:6
- Wrongful garnishment, §§ 1203:1 to 1203:3

DECEPTIVE OR UNFAIR TRADE PRACTICES

- Generally, §§ 501:1 to 501:5
- Advertisement fraud, §§ 502:1 to 502:5
- Fee awards, § 501:2
- Jury instruction forms, § 501:5
- Prima facie case, § 501:1
- Research assistance, § 501:3
- Verdicts, findings, and awards, § 501:4

DECLARATORY JUDGMENTS

- Generally, §§ 1101:1 to 1101:5
- Defenses to actions and claims, § 1101:2
- Jury instruction forms, § 1101:5
- Prima facie case, § 1101:1
- Research assistance, § 1101:3
- Verdicts, findings, and awards, § 1101:4

DEFAMATION

- Generally, §§ 1501:1 to 1501:5
- Defenses to claim of libel, slander or defamation by implication, § 1501:2
- Jury instruction forms, § 1501:5
- Prima facie case of libel, slander, or defamation by implication, § 1501:1
- Research assistance, § 1501:3
- Verdicts involving libel, slander or defamation by implication, § 1501:4

DEFENSES TO ACTIONS AND CLAIMS

- Abuse of process, § 1201:2
- Accord and satisfaction, §§ 304:2, 501:2, 806:2
- Account stated actions, § 801:2
- Accounting, action for, § 1001:2
- Adoption, § 701:2
- Advertising fraud, § 502:2
- Affirmative defenses, generally, § 305:2
- Alimony, § 304:2
- All elements pleading rule, §§ 301:2, 304:2
- Alter ego liability, § 807:2
- Antitrust violations, § 401:2
- Assault, § 1301:2
- Assumption of risk, §§ 305:2, 703:2
- Bad check actions, § 802:2
- Bankruptcy, § 805:2
- Battery, § 1302:2
- Breach of contract
 - Oral contract, § 602:2
 - Written contract, § 601:2
- Child custody actions, § 302:2
- Child support actions, § 303:5
- Civil rights laws, §§ 902:2, 903:2
- Commercial frustration doctrine, § 808:2
- Common law warranties, § 403:2
- Comparative negligence, §§ 201:2, 305:2
- Contractual relationships, § 606:2
- Contributory negligence, §§ 305:2, 703:2
- Conversion actions, § 803:2
- Corporate veil piercing, § 807:2
- Declaratory judgments, § 1101:2
- Defamation, § 1501:2
- Dismissal, withdrawal or striking a voluntary dismissal, § 1804:2
- Divorce claims, § 301:2
- Dog bite claims, § 201:2
- Duress, § 304:2
- Employment law, §§ 902:2, 903:2
- Equitable or virtual adoption, § 701:2
- Estoppel, §§ 304:2, 305:2, 501:2
- Failure of consideration, § 602:2
- Former adjudication, estoppel or bar by, § 1002:2
- Fraud as defense, § 402:2
- Fraud in the inducement or fraud in the performance, § 1303:2
- Fraudulent misrepresentation, § 1304:2
- Homestead Exemption, this index
- Illegality defense, §§ 304:2, 402:2
- Impossibility of performance, § 808:2

INDEX

DEFENSES TO ACTIONS AND CLAIMS—Cont'd

- Interference with business relationship, § 404:2
- Interpleader, § 1803:2
- Interspousal tort immunity, § 301:2
- Laches, § 501:2
- Libel, § 1501:2
- Limitations of actions, § 201:2
- Lis pendens, § 2002:2
- Malicious prosecution, § 1202:2
- Mandamus, § 1701:2
- Misleading advertisements, § 502:2
- Mistake, § 601:2
- Money lent, action for, § 805:2
- Negligent misrepresentation, § 1401:2
- Open account actions, § 806:2
- Oral contract breach, § 602:2
- Parental liability for tort of minor, § 305:2
- Party standing challenges, § 703:2
- Pet dealers, claims against, § 202:2
- Pleading requirements, § 502:2
- Price discrimination, § 503:2
- Prohibition writ, § 1702:2
- Promissory estoppel, § 1003:2
- Promissory note, action on, § 808:2
- Ratification, § 601:2
- Release, §§ 201:2, 501:2, 703:2
- Replevin, § 1004:2
- Repudiation, §§ 601:2, 808:2
- Rescission, § 604:2
- Reverse piercing, § 807:2
- Sales of Goods, this index
- Self-defense, § 703:2
- Separate maintenance, § 304:2
- Slander, § 1501:2
- Sovereign immunity, §§ 504:2, 703:2, 1203:2
- Specific performance claims, § 605:2
- Spoliation or destruction of evidence, § 1005:2
- Statute of frauds, § 603:2
- Sunshine law, violation of transparency or open government under, § 2101:2
- Third party beneficiary claims, § 603:2
- Third-party practice, § 1803:2
- UCC warranties, § 402:2
- Unauthorized publication of name or likeness, § 1503:2
- Unconscionability, §§ 601:2, 808:2
- Unfair trade practices, § 501:2
- Unjust enrichment, § 1006:2
- Usury, § 505:2

DEFENSES TO ACTIONS AND CLAIMS—Cont'd

- Vacating a final judgment, decree, order, or proceeding, § 1204:2
- Veil piercing, § 807:2
- Vexatious litigant law, § 1801:2
- Waiver, § 501:2
- Will contests, § 702:2
- Workers' compensation immunity, § 703:2
- Written contract breach, § 601:2
- Wrongful death claims, § 703:2
- Wrongful garnishment, § 1203:2

DEFENSES TO CLAIM

- Civil conspiracy, § 1306:2

DEFINITION OF CAUSE OF ACTION

- Generally, § 101:2

DEMAND LETTERS

- Bad check actions, § 802:4

DESTRUCTION OF EVIDENCE

- Spoilation or Destruction of Evidence, this index

DISABILITIES, PERSONS WITH

- Notices to, § 103:1

DISCRIMINATION

- Civil Rights, this index
- Price Discrimination, this index

DISMISSAL

- Voluntary, withdrawal or striking a voluntary dismissal, §§ 1804:1, 1804:2

DISPARAGEMENT OF PROPERTY

- Generally, § 2003:1

DISSOLUTION OF MARRIAGE

- Generally, §§ 301:1 to 301:4
- Child support claims in dissolution actions, § 303:2
- Defenses to actions and claims, § 301:2
- Prima facie case, § 301:1
- Research assistance, § 301:3
- Sample Petition for Simplified Dissolution of Marriage, § 301:4
- Separate Maintenance, this index

DIVORCE

- Dissolution of Marriage, this index

DOGS

- Tort actions against owners, §§ 201:1 to 201:6, 1412:4
- Warranty actions against pet dealers, §§ 202:1 to 202:3

DURESS

- Generally, § 304:2

INDEX

E-FILED OR EMAILED PLEADINGS OR DOCUMENTS

Generally, §§ 104:1 to 104:3

ELECTRONIC SIGNATURES

Pleadings, § 104:1

EMOTIONAL DISTRESS

Intentional infliction of, §§ 1305:1 to 1305:4

Negligent infliction of, § 1405:1

EMPLOYMENT

Generally, §§ 901:1 to 904:1

Defenses

Discrimination claims, §§ 902:2, 903:2

Wrongful garnishment, § 1203:2

Disability discrimination, §§ 902:1 to 902:3

Elements

Disability discrimination, § 902:1

Racial discrimination, § 903:1

Wrongful garnishment, § 1203:1

Ethnicity discrimination, §§ 903:1 to 903:3

Florida Civil Rights Act, § 904:1

Hiring, negligent, § 1409:1

Racial discrimination, §§ 903:1 to 903:3

Research assistance

Discrimination, §§ 902:3, 903:3

Wrongful garnishment, § 1203:3

Wrongful termination, § 901:2

Retention of employee, negligent, § 1409:1

Right to work, § 901:1

At will employment, § 901:1

Wrongful garnishment, §§ 1203:1 to 1203:3

Wrongful termination, §§ 901:1, 901:2

ENTRUSTMENT

Negligent entrustment, § 305:1

ENVIRONMENTAL LAW

Pollution and discharge of hazardous materials, § 2301:1

EQUITABLE OR VIRTUAL ADOPTION

Defenses to actions and claims, § 701:2

Equitable or virtual adoption, generally, §§ 701:1 to 701:4

Prima facie case, § 701:1

Research assistance, § 701:3

EQUITY ACTIONS

Generally, §§ 1000:1 to 1006:6

Accounting, action for, §§ 1001:1 to 1001:4

Adoptions. Equitable or Virtual Adoption, this index

EQUITY ACTIONS—Cont'd

Complaint forms

Replevin, § **1004:4**

Specific performance claims, § **605:4**

Corporate veil piercing, §§ **807:1 to 807:4**

Declaratory judgments, §§ **1101:1 to 1101:5**

Defenses

Accounting, action for, § **1001:2**

Former adjudication, estoppel or bar by, § **1002:2**

Promissory estoppel, § **1003:2**

Replevin, § **1004:2**

Rescission, § **604:2**

Specific performance claims, § **605:2**

Spoilation or destruction of evidence, § **1005:2**

Unjust enrichment, § **1006:2**

Elements

Accounting, action for, § **1001:1**

Former adjudication, estoppel or bar by, § **1002:1**

Promissory estoppel, § **1003:1**

Replevin, § **1004:1**

Rescission, § **604:1**

Specific performance claims, § **605:1**

Spoilation or destruction of evidence, § **1005:1**

Unjust enrichment, § **1006:1**

Estoppel, promissory, §§ **1003:1 to 1003:5**

Estoppel or bar by former adjudication, §§ **1002:1, 1002:2**

Findings and awards

Replevin, § **1004:6**

Rescission, § **604:4**

Unjust enrichment, § **1006:5**

Former adjudication, estoppel or bar by, §§ **1002:1, 1002:2**

Judgment form, replevin, § **1004:5**

Laches defenses, § **501:2**

Promissory estoppel, §§ **1003:1 to 1003:5**

Replevin, §§ **1004:1 to 1004:7**

Rescission, this index

Research assistance

Accounting, action for, § **1001:3**

Promissory estoppel, § **1003:3**

Replevin, § **1004:3**

Rescission, § **604:3**

Specific performance claims, § **605:3**

Spoilation or destruction of evidence, § **1005:3**

Unjust enrichment, § **1006:3**

Specific performance, §§ **605:1 to 605:4**

Spoilation or destruction of evidence, §§ **1005:1 to 1005:4**

Unjust enrichment, §§ **1006:1 to 1006:6**

INDEX

ESTOPPEL

- Crime victim's estoppel of perpetrator in subsequent civil proceedings, §§ 1205:1, 1205:2
- Defenses generally, § 305:2
- Defensive estoppel, § 501:2
- Defensive pleading of, § 304:2
- Former adjudication, estoppel or bar by, §§ 1002:1, 1002:2
- Promissory estoppel, §§ 1003:1 to 1003:5

EVIDENCE

- Spoliation or destruction, §§ 1005:1 to 1005:4, 1412:1

EXTRAORDINARY WRITS

- Constitutional writ ("all writs" power), § 1704:1
- Mandamus, this index
- Prohibition, this index
- Quo Warranto, this index

FAILURE OF CONSIDERATION

- Defenses to actions and claims, § 602:2

FALLS

- Negligence complaint, § 1402:3

FAMILY LAW

- Generally, § 301:1 et seq.
- Adoption, §§ 701:1 to 701:4
- Alimony, this index
- Child Custody, this index
- Child Support, this index
- Complaint form, separate maintenance, § 304:4
- Defenses
 - Adoption, § 701:2
 - Alimony, § 304:2
 - Child custody, § 302:2
 - Child support, § 303:5
 - Divorce, § 301:2
 - Equitable or virtual adoption, § 701:2
 - Separate maintenance, § 304:2
- Divorce. Dissolution of Marriage, this index
- Elements
 - Adoption, § 701:1
 - Alimony, § 304:1
 - Child custody, § 302:1
 - Child support, § 303:1 et seq.
 - Divorce, § 301:1
 - Equitable or virtual adoption, § 701:1
 - Separate maintenance, § 304:1
- Equitable or virtual adoption, §§ 701:1 to 701:4
- Parental liability for tort of minor, §§ 305:1 to 305:5, 1412:3

FAMILY LAW—Cont'd

- Petitions, divorce, § 301:4
- Pleading, equitable or virtual adoption, § 701:4
- Research assistance
 - Adoption, § 701:3
 - Alimony, § 304:3
 - Child custody, § 302:3
 - Child support, § 303:6
 - Divorce, § 301:3
 - Equitable or virtual adoption, § 701:3
 - Separate maintenance, § 304:3
- Separate Maintenance, this index
- Unmarried parents, child support, § 303:3
- Will contests, §§ 702:1 to 702:4

FEE AWARDS

- Deceptive or unfair trade practices, § 501:2

FIDUCIARY RELATIONSHIPS

- Breach of fiduciary duty, generally, § 506:1
- Concealment fraud, §§ 504:1, 504:2

FILING FEE

- Generally, § 102:1

FINDINGS

- Verdicts, Findings, and Awards, this index

FIREARMS

- Parental liability for torts of children, § 305:1

FORMER ADJUDICATION, ESTOPPEL OR BAR BY

- Generally, §§ 1002:1, 1002:2
- Defenses to actions and claims, § 1002:2
- Prima facie case, § 1002:1

FORMS

- Complaint, this index
- Interrogatories, this index
- Jury Instruction Forms, this index
- Lis pendens, § 2002:3

FRAUD AND MISREPRESENTATION

- Generally, §§ 1304:1 to 1304:3
- See also Consumer Law, this index
- Advertising Fraud, this index
- Concealment fraud, §§ 504:1, 504:2
- Corporate veil piercing, §§ 807:1 to 807:4
- Court, fraud upon, §§ 1802:1, 1802:2
- Defense, pleading fraud as, § 402:2
- Defenses
 - Generally, §§ 1304:1, 1304:2

INDEX

FRAUD AND MISREPRESENTATION—Cont'd

Defenses—Cont'd

- Advertising fraud, § 502:2
- Concealment fraud, § 504:2
- Inducement or performance, fraud in, § 1303:2
- Misleading advertisements, § 502:2

Elements

- Generally, § 1304:1
- Concealment fraud, § 504:1
- Inducement or performance, fraud in, § 1303:1
- Misleading advertisements, § 502:1

Fiduciary relationships, §§ 504:1, 504:2

Inducement, fraud in, §§ 1303:1, 1303:2

Jury instruction forms

- Misleading advertisements, § 502:5

Negligent misrepresentation, §§ 1410:1, 1410:2

Performance, fraud in, §§ 1303:1, 1303:2

Pet dealers, §§ 202:1 to 202:3

Pleading, §§ 304:2, 402:2, 502:1

Research assistance, misleading advertisements, § 502:3

Trade practices. Deceptive or Unfair Trade Practices, this index

Verdicts, findings, and awards

- Misleading advertisements, § 502:4

GARNISHMENT

- Wrongful Garnishment, this index

GOODS SOLD

- See Sales of Goods, this index

HAZARDOUS MATERIALS

- Pollution and discharge of hazardous materials, § 2301:1

HIRING, NEGLIGENCE

- Negligence, § 1409:1

HOMESTEAD EXEMPTION

- Ad valorem property taxation, §§ 1901:1 to 1901:3

- Creditors, protection from, §§ 2001:1 to 2001:3

Defenses

- Probate and creditors, protection from, § 2001:2
- Property taxation, § 1901:2

Elements of prima facie case

- Creditors and probate, protection from, § 2001:1
- Property taxation, § 1901:1

Probate protection, §§ 2001:1 to 2001:3

Research assistance

- Probate and creditors, protection from, § 2001:3
- Property taxation, § 1901:3

ILLEGALITY DEFENSE

Generally, §§ 304:2, 401:2

IMPOSSIBILITY OF PERFORMANCE

Defenses to actions and claims, § 808:2

IMPROPER SECURITY

Premises liability, § 2004:1

INFLECTION OF EMOTIONAL DISTRESS

Negligence, § 1405:1

INSURANCE COMPANY'S DUTY TO DEFEND

Insured's duty to defend, elements of cause of action, § 2201:1

INTENTIONAL TORTS

Abuse of process, §§ 1201:1, 1201:2

Assault, §§ 1301:1 to 1301:5

Battery, §§ 1302:1 to 1302:5

Defenses

Abuse of process, § 1201:2

Assault, § 1301:2

Battery, § 1302:2

Emotional distress, intentional infliction of, § 1305:2

Fraud in the inducement or fraud in the performance, § 1303:2

Fraudulent misrepresentation, § 1304:2

Interference with business relationship, § 404:2

Interference with contractual relationships, § 606:2

Malicious prosecution, § 1202:2

Parental liability for tort of minor, § 305:2

Self-defense, § 703:2

Spoilation or destruction of evidence, § 1005:2

Wrongful death claims, § 703:2

Wrongful garnishment, § 1203:2

Elements

Abuse of process, § 1201:1

Assault, § 1301:1

Battery, § 1302:1

Emotional distress, intentional infliction of, § 1305:1

Fraud in the inducement or fraud in the performance, § 1303:1

Fraudulent misrepresentation, § 1304:1

Interference with business relationship, § 404:1

Interference with contractual relationships, § 606:1

Malice, § 1203:1

Malicious prosecution, §§ 1201:1, 1202:1

Parental liability for tort of minor, § 305:1

Spoilation or destruction of evidence, § 1005:1

Wrongful death claims, § 703:1

Wrongful garnishment, § 1203:1

Emotional distress, intentional infliction of, §§ 1305:1 to 1305:4

INDEX

INTENTIONAL TORTS—Cont'd

Fraud in the inducement or fraud in the performance, §§ 1303:1, 1303:2

Fraudulent misrepresentation, §§ 1304:1, 1304:2

Interference with business relationships, §§ 404:1 to 404:5

Interference with contractual relationships, §§ 606:1 to 606:5

Jury instruction forms

Assault, § 1301:5

Battery, § 1302:5

Emotional distress, intentional infliction of, § 1305:4

Fraudulent misrepresentation, § 1304:3

Interference with business relationship, § 404:5

Interference with contractual relationships, § 606:5

Malicious prosecution, § 1202:5

Parental liability for tort of minor, § 305:5

Spoliation or destruction of evidence, § 1005:4

Wrongful death claims, § 703:5

Jury verdict form, wrongful death claims, §§ 703:4, 703:6

Malicious prosecution, §§ 1202:1 to 1202:5

Outrageous conduct causing severe emotional distress, §§ 1305:1 to 1305:4

Parental liability for tort of minor, §§ 305:1 to 305:5

Research assistance

Assault, § 1301:3

Battery, § 1302:3

Emotional distress, intentional infliction of, § 1305:3

Interference with business relationship, § 404:3

Interference with contractual relationships, § 606:3

Malicious prosecution, § 1202:3

Parental liability for tort of minor, § 305:3

Spoliation or destruction of evidence, § 1005:3

Wrongful death, § 703:3

Wrongful garnishment, § 1203:3

Spoliation or destruction of evidence, §§ 1005:1 to 1005:4

Verdicts, findings, and awards

Assault, § 1301:4

Battery, § 1302:4

Interference with business relationship, § 404:4

Interference with contractual relationships, § 606:4

Malicious prosecution, § 1202:4

Parental liability for tort of minor, § 305:4

Wrongful death claims, §§ 703:4, 703:6

Wrongful death claims, §§ 703:1 to 703:6

Wrongful garnishment, §§ 1203:1 to 1203:3

INTERFERENCE

Business relationships, §§ 404:1 to 404:5

Contractual relationships, §§ 606:1 to 606:5

Defenses

Business relationships, § 404:2

INTERFERENCE—Cont'd

Defenses—Cont'd

Contractual relationships, § 606:2

Elements

Business relationships, § 404:1

Contractual relationships, § 606:1

Jury instruction forms

Business relationships, § 404:5

Contractual relationships, § 606:5

Research assistance

Business relationships, § 404:3

Contractual relationships, § 606:3

Verdicts, findings, and awards

Business relationship, § 404:4

Contractual relationship, § 606:4

INTERPLEADER

Generally, §§ 1803:1, 1803:2

INTERROGATORIES

Medical malpractice cases, § 1403:3

Motor vehicle negligence cases, § 1406:3

Negligence cases, generally, § 1402:4

INTERSPOUSAL TORT IMMUNITY

Defenses to actions and claims, § 301:2

JUDGMENTS

Crime victim's estoppel of perpetrator in subsequent civil proceedings,
§§ 1205:1, 1205:2

Declaratory Judgments, this index

Estoppel or bar by former adjudication, §§ 1002:1, 1002:2

Replevin, form of judgment in, § 1004:5

Vacating or setting aside, §§ 1204:1, 1204:2

JURISDICTION AND VENUE

Generally, §§ 105:1 to 105:7

Circuit courts, geographic boundaries of, § 105:6

Clerks of courts, names, addresses and phone numbers for, § 105:4

Counties, locating cities in, § 105:5

Court system of Florida, § 105:1

District Courts of Appeal, geographic jurisdiction of, § 105:7

Federal courthouses, names, addresses and phone numbers for, § 105:3

Mandamus, § 1701:3

Names, addresses and phone numbers

Clerks of courts, § 105:4

Federal courthouses, § 105:3

Quo warranto, § 1703:2

Venue statutes, § 105:2

INDEX

JURY AWARDS

Verdicts, Findings, and Awards, this index

JURY INSTRUCTION FORMS

Account stated actions, § 801:6
Accounting, equitable, § 1001:4
Advertising fraud, § 502:5
Antitrust violations, § 401:4
Assault, § 1301:5
Bad check actions, § 802:6
Battery, § 1302:5
Breach of contract, §§ 601:5, 602:4
Common law warranties, § 403:4
Contractual relationships, § 606:5
Conversion actions, § 803:5
Declaratory judgments, § 1101:5
Defamation, § 1501:5
Dog bite claims, § 201:5
Interference with business relationship, § 404:5
Interference with contractual relationship, § 606:5
Libel, § 1501:5
Malicious prosecution, § 1202:5
Misleading advertisements, § 502:5
Money lent, action for, § 805:5
Negligence, § 1401:4
Negligent misrepresentation, § 1410:2
Open account actions, § 806:7
Oral contract breach, § 602:4
Promissory estoppel, § 1003:5
Promissory note, action on, § 808:5
Replevin, § 1004:7
Rescission, § 604:5
Slander, § 1501:5
Spoliation or destruction of evidence, § 1005:4
Third party beneficiary claims, § 603:5
UCC warranties, § 402:5
Unfair trade practices, § 501:5
Unjust enrichment, § 1006:6
Usury, § 505:4
Worthless check actions, § 802:6
Written contract breach, § 601:5
Wrongful death claims, § 703:5

JURY VERDICTS

Verdicts, Findings, and Awards, this index

KNOWLEDGE

Pleading, § 404:1

LACHES

Defensive pleading, § 501:2

LEGAL MALPRACTICE

Negligence, § 1408:1

LEGISLATIVE CODIFICATION

Causes of action, generally, § 2401:1

LIBEL

Defamation, this index

LIENS

Charging lien

Generally, §§ 1601:1 to 1601:4

Defenses, § 1601:2

Jury instructions, § 1601:4

Prima facie case, § 1601:1

Research assistance, § 1601:3

Defenses

Charging lien, § 1601:2

Retaining lien, § 1602:2

Jury instructions, charging lien, § 1601:4

Prima facie case

Charging lien, § 1601:1

Retaining lien, § 1602:1

Research assistance

Charging lien, § 1601:3

Retaining lien, § 1602:3

Retaining lien

Generally, §§ 1602:1 to 1602:3

Defenses, § 1602:2

Prima facie case, § 1602:1

Research assistance, § 1602:3

LIS PENDENS

Generally, §§ 2002:1 to 2002:4

Defenses, § 2002:2

Elements, § 2002:1

Official form, § 2002:3

Research assistance, § 2002:4

Wrongful lis pendens, § 2003:1

MALICIOUS PROSECUTION

Generally, §§ 1202:1 to 1202:5

Defenses to actions and claims, § 1202:2

Jury instruction forms, § 1202:5

Prima facie case, §§ 1201:1, 1202:1

Research assistance, § 1202:3

Verdicts, findings, and awards, § 1202:4

INDEX

MALICIOUS PROSECUTION—Cont'd

Wrongful garnishment compared, § 1203:1

MALPRACTICE

Legal malpractice, § 1408:1

Medical malpractice, §§ 1403:1 to 1403:3

MANDAMUS

Generally, §§ 1701:1 to 1701:3

Defenses to a claim of mandamus, § 1701:2

Prima facie case for writ of mandamus, § 1701:1

Venue and jurisdiction for mandamus petition, § 1701:3

MASTER AND SERVANT

Employment Law, this index

MEDICAL MALPRACTICE CLAIMS

Negligence, §§ 1403:1 to 1403:3

MISLEADING ADVERTISING

Advertising Fraud, this index

MISREPRESENTATION

Fraud and Misrepresentation, this index

Negligent misrepresentation, §§ 1410:1, 1410:2

MISTAKE

Generally, § 601:2

MONEY LENT

Generally, §§ 805:1 to 805:5

Complaint forms, § 805:4

Defenses to actions and claims, § 805:2

Jury instruction forms, § 805:5

Prima facie case, § 805:1

Research assistance, § 805:3

MOTOR VEHICLES

Negligent operation of, §§ 1406:1 to 1406:3

MyFLCourtAccess.com

Electronic filing of court documents and Florida's e-filing portal, § 104:3

NAME

Good name, actions involving. Defamation, this index

Unauthorized publication of name or likeness, §§ 1503:1, 1503:2

NEGLIGENCE

Generally, § 1401:1 et seq.

Animal, negligent infliction of injury, §§ 201:1 to 201:6, 1412:4

Assisted living facilities, abuse and negligence claims, §§ 1411:1, 1411:2

Birth-related neurological injuries, §§ 201:1 to 201:6, 1404:1, 1404:2

Complaint forms

Generally, § 1401:3

NEGLIGENCE—Cont'd

Complaint forms—Cont'd

Automobile negligence, § **1406:2**

Dog bite claims, § **201:6**

Fall-down negligence, § **1402:3**

Damages, § **1402:2**

Defenses

Generally, § **1401:2**

Dog bite claims, § **201:2**

Parental liability for tort of minor, § **305:2**

Spoilation or destruction of evidence, § **1005:2**

Wrongful death claims, § **703:2**

Destruction of evidence, § **1412:1**

Dog, negligent infliction of injury, §§ **201:1 to 201:6, 1412:4**

Elements

Generally, § **1401:1**

Dog bite claims, § **201:1**

Entrustment, negligent, § **305:1**

Parental liability for tort of minor, § **305:1**

Prima facie case, generally, § **1401:1**

Spoilation or destruction of evidence, § **1005:1**

Wrongful death claims, § **703:1**

Emotional distress, negligent infliction of, § **1405:1**

Entrustment, negligent, § **305:1**

Fall-down negligence complaint, § **1402:3**

Hiring, negligent, § **1409:1**

Infliction of emotional distress, § **1405:1**

Interrogatories, this index

Jury instruction forms

Generally, § **1401:4**

Dog bite claims, § **201:5**

Parental liability for tort of minor, § **305:5**

Spoilation or destruction of evidence, § **1005:4**

Wrongful death claims, § **703:5**

Jury verdict form, wrongful death claims, §§ **703:4, 703:6**

Legal malpractice, § **1408:1**

Medical malpractice claims, §§ **1403:1 to 1403:3**

Misrepresentation, negligent, §§ **1410:1, 1410:2**

Motor vehicle, negligent operation of, §§ **1406:1 to 1406:3**

NICA claims, §§ **1404:1, 1404:2**

Nursing home abuse and negligence claims, §§ **1411:1, 1411:2**

Parental liability for tort of minor, §§ **305:1 to 305:5, 1412:3**

Pet, negligent infliction of injury by, §§ **201:1 to 201:6, 1412:4**

Prima facie case, generally, §§ **1401:1 to 1401:4**

Rescuer, negligent act resulting in injury to, § **1407:1**

Research assistance

Dog bite claims, § **201:3**

INDEX

NEGLIGENCE—Cont'd

Research assistance—Cont'd

Parental liability for tort of minor, § **305:3**

Spoliation or destruction of evidence, § **1005:3**

Wrongful death claims, § **703:3**

Retention of employee, negligent, § **1409:1**

Spoliation or destruction of evidence, §§ **1005:1 to 1005:4**

Statutory requirements and restrictions

Generally, §§ **1402:1 to 1402:4**

Damages, § **1402:2**

Fall-down negligence complaint, § **1402:3**

Interrogatories in negligence cases, standard, § **1402:4**

Medical malpractice claims, §§ **1403:1, 1403:2**

Nursing home abuse and negligence claims, §§ **1411:1, 1411:2**

Verdicts, findings, and awards

Dog bite claims, § **201:4**

Parental liability for tort of minor, § **305:4**

Wrongful death claims, §§ **703:4, 703:6**

Wrongful death, §§ **703:1 to 703:6, 1412:2**

NEGOTIABLE INSTRUMENTS

Bad Check Actions, this index

Promissory note, action on, §§ **808:1 to 808:5**

NOTICE

Persons with disabilities, notices to, § **103:1**

NURSING HOME ABUSE AND NEGLIGENCE

Statutory requirements and restrictions, §§ **1411:1, 1411:2**

OIL SPILLS

Claims against BP, Transocean and/or Halliburton arising out of contamination of Gulf of Mexico, § **2301:2**

OPEN ACCOUNTS

Actions on, §§ **806:1 to 806:7**

Complaint forms, § **806:4**

Defenses to actions and claims, § **806:2**

Jury instruction forms, § **806:7**

Prima facie case, § **806:1**

Research assistance, § **806:3**

Verdicts, findings, and awards, §§ **806:5, 806:6**

OPEN GOVERNMENT

Sunshine law, violation of transparency or open government under, §§ **2101:1, 2101:2**

OPINION

Defamatory statements, § **1501:2**

ORAL CONTRACT BREACH

Defenses to actions and claims, § **602:2**

ORAL CONTRACT BREACH—Cont'd

Jury instruction forms, § 602:4

Prima facie case, § 602:1

Research assistance, § 602:3

OUTRAGEOUS CONDUCT CAUSING SEVERE EMOTIONAL DISTRESS

Generally, §§ 1305:1 to 1305:4

PARENTAL LIABILITY FOR TORT OF MINOR (PARENTAL IMMUNITY DOCTRINE)

Generally, §§ 305:1 to 305:5, 1412:3

Defenses to actions and claims, § 305:2

Prima facie case, § 305:1

Research assistance, § 305:3

Verdicts, findings, and awards, § 305:4

PARTITION

Costs and attorney fees involving partition, § 2005:4

Defenses to claim, § 2005:2

Elements of prima facie case, § 2005:1

Mechanics of judicial partition, § 2005:3

PARTITION OF HEIRS' PROPERTY

Uniform Partition of Heirs Property Act

Elements of prima facie case, § 704:1

PARTY STANDING CHALLENGES

Defenses to actions and claims, § 703:2

PET DEALERS

Defenses to actions and claims, § 202:2

Prima facie case, § 202:1

Research assistance, § 202:3

Statutory warranty claims against, generally, §§ 202:1 to 202:3

PETS

Negligent infliction of injury by, §§ 201:1 to 201:6, 1412:4

PLEADING

Affirmative defenses, pleading requirements, § 502:2

All elements pleading rule, §§ 301:2, 304:2

Complaint, this index

E-filed or emailed pleadings, § 104:2

E-filed or emailed pleadings and documents, §§ 104:1, 104:3

Equitable or virtual adoption, § 701:4

Estoppel, defensive pleading of, § 304:2

Fraud, §§ 304:2, 402:2, 502:1

Interpleader, §§ 1803:1, 1803:2

Knowledge, pleading, § 404:1

Laches, defensive pleading, § 501:2

Release, defensive pleading, §§ 501:2, 703:2

Sample Petition for Simplified Dissolution of Marriage, § 301:4

INDEX

PLEADING—Cont'd

- Signing pleadings, § 104:1
- Specificity of pleading, § 301:1
- Third-party practice, §§ 1803:1, 1803:2
- Waiver, defensive pleading, § 501:2
- Will contests, § 702:4

POLLUTION

- Liability for pollution and discharge of hazardous materials, § 2301:1

PREMISES LIABILITY

- Improper security, § 2004:1

PRICE DISCRIMINATION

- Generally, §§ 503:1 to 503:3
- Defenses to actions and claims, § 503:2
- Prima facie case, § 503:1
- Research assistance, § 503:3

PRIMA FACIE CASE

- Civil conspiracy
- Elements of, § 1306:1

PRIVACY

- Defamation, this index
- Government, invasion of privacy by, § 1502:1
- Unauthorized publication of name or likeness, §§ 1503:1, 1503:2

PRIVILEGE

- Defamatory statements, § 1501:2

PROBATE

- Homestead protection, §§ 2001:1 to 2001:3
- Will Contests, this index

PROCESS AND SERVICE OF PROCESS AND PAPERS

- Generally, §§ 102:1, 102:2
- Abuse of Process, this index
- Email service of pleadings and documents, § 104:2

PROHIBITION

- Generally, §§ 1702:1 to 1702:3
- Defenses to a claim for writ of prohibition, § 1702:2
- Filing requirements for prohibition petition, § 1702:3
- Prima facie case for writ of prohibition, § 1702:1

PROMISSORY ESTOPPEL

- Generally, §§ 1003:1 to 1003:5
- Defenses to actions and claims, § 1003:2
- Jury instruction forms, § 1003:5
- Prima facie case, § 1003:1
- Research assistance, § 1003:3
- Verdicts, findings, and awards, § 1003:4

PROMISSORY NOTES

- Actions on, §§ 808:1 to 808:5
- Complaint forms, § 808:4
- Defenses to actions and claims, § 808:2
- Jury instruction forms, § 808:5
- Prima facie case, § 808:1
- Research assistance, § 808:3

PROPERTY TAXATION

- Homestead exemption, §§ 1901:1 to 1901:3

PUBLICATION

- Defamation, this index
- Unauthorized publication of name or likeness, §§ 1503:1, 1503:2

QUO WARRANTO

- Generally, §§ 1703:1, 1703:2
- Prima facie case for writ of quo warranto, § 1703:1
- Venue and jurisdiction for quo warranto, § 1703:2

RADIO AND TELEVISION

- Defamatory statements, § 1501:2

RATIFICATION

- Generally, § 601:2

RELEASE

- Generally, §§ 201:2, 501:2, 703:2

REPLEVIN

- Action for, §§ 1004:1 to 1004:7
- Complaint forms, § 1004:4
- Defenses to actions and claims, § 1004:2
- Jury instruction forms, § 1004:7
- Prima facie case, § 1004:1
- Research assistance, § 1004:3
- Verdicts, findings, and awards, § 1004:6

REPUDIATION

- Generally, §§ 601:2, 808:2

RESCISSION

- Generally, §§ 604:1 to 604:5
- Defenses to actions and claims, § 604:2
- Jury instruction forms, § 604:5
- Prima facie case, § 604:1
- Research assistance, § 604:3
- Verdicts, findings, and awards, § 604:4

RESCUERS

- Negligent act resulting in injury to, § 1407:1

INDEX

RESEARCH ASSISTANCE

- Account stated actions, § 801:3
- Accounting, action for, § 1001:3
- Action for goods sold, § 804:3
- Adoption, § 701:3
- Advertising fraud, § 502:3
- Alimony, § 304:3
- Alter ego liability, § 807:3
- Antitrust violations, § 401:3
- Assault, § 1301:3
- Bad check actions, § 802:3
- Battery, § 1302:3
- Breach of contract
 - Oral contract, § 602:3
 - Written contract, § 601:3
- Child custody actions, § 302:3
- Child support, § 303:6
- Civil rights laws, §§ 902:3, 903:3
- Common law warranties, § 403:3
- Contractual relationships, § 606:3
- Conversion actions, § 803:3
- Corporate veil piercing, § 807:3
- Declaratory judgments, § 1101:3
- Defamation, § 1501:3
- Divorce, § 301:3
- Dog bite claims, § 201:3
- Employment law, §§ 902:3, 903:3
- Equitable or virtual adoption, § 701:3
- Homestead Exemption, this index
- Interference with business relationships, § 404:3
- Libel, § 1501:3
- Lis pendens, § 2002:4
- Malicious prosecution, § 1202:3
- Misleading advertisements, § 502:3
- Money lent, action for, § 805:3
- Open account actions, § 806:3
- Oral contract breach, § 602:3
- Parental liability for tort of minor, § 305:3
- Pet dealers, claims against, § 202:3
- Price discrimination, § 503:3
- Promissory estoppel, § 1003:3
- Promissory note, action on, § 808:3
- Replevin, § 1004:3
- Rescission, § 604:3
- Reverse piercing, § 807:3
- Separate maintenance, § 304:3
- Slander, § 1501:3

RESEARCH ASSISTANCE—Cont'd

- Specific performance claims, § 605:3
- Spoliation or destruction of evidence, § 1005:3
- Third party beneficiary claims, § 603:3
- UCC warranties, § 402:3
- Unfair trade practices, § 501:3
- Unjust enrichment, § 1006:3
- Usury, § 505:3
- Veil piercing, § 807:3
- Vexatious litigant law, § 1801:3
- Will contests, § 702:3
- Written contract breach, § 601:3
- Wrongful death claims, § 703:3
- Wrongful garnishment, § 1203:3

RETAINING LIEN

- Liens, this index

RETENTION OF EMPLOYEE

- Negligence, § 1409:1

REVERSE PIERCING

- Complaint forms, § 807:4
- Defenses to actions and claims, § 807:2
- Prima facie case, § 807:1
- Research assistance, § 807:3

ROBINSON-PATMAN ACT

- Generally, § 503:1

SALES OF GOODS

- Generally, §§ 804:1 to 804:6
- Account stated actions, §§ 801:1 to 801:6
- Action for goods sold, §§ 804:1 to 804:6
- Bad Check Actions, this index
- Buyer's damages, § 402:2
- Commercial frustration doctrine, § 808:2
- Complaint forms
 - Account stated actions, § 801:4
 - Action for goods sold, § 804:4
 - Bad check actions, § 802:5
 - Conversion actions, § 803:4
 - Replevin, § 1004:4
 - Worthless check claims, § 802:5
- Concealment fraud, §§ 504:1, 504:2
- Conversion actions, §§ 803:1 to 803:5
- Cure, § 604:1
- Defenses
 - Account stated actions, § 801:2
 - Action for goods sold, § 804:2

INDEX

SALES OF GOODS—Cont'd

Defenses—Cont'd

- Bad check actions, § **802:2**
- Commercial frustration doctrine, § **808:2**
- Concealment fraud, § **504:2**
- Conversion actions, § **803:2**
- Pet dealers, claims against, § **202:2**
- Price discrimination, § **503:2**
- Replevin, § **1004:2**
- Unjust enrichment, § **1006:2**

Elements

- Account stated actions, § **801:1**
- Action for goods sold, § **804:1**
- Bad check actions, § **802:1**
- Concealment fraud, § **504:1**
- Conversion actions, § **803:1**
- Pet dealers, claims against, § **202:1**
- Price discrimination, § **503:1**
- Replevin, § **1004:1**
- Unjust enrichment, § **1006:1**

Judgment form, replevin, § **1004:5**

Jury instruction forms

- Account stated actions, § **801:6**
- Action for goods sold, § **804:6**
- Conversion actions, § **803:5**
- Replevin, § **1004:7**
- Unjust enrichment, § **1006:6**

Jury verdict form, unjust enrichment, § **1006:5**

Mirror image rule, §§ **601:2, 602:2**

Nonconforming goods, § **604:1**

Pet dealers, claims against, §§ **202:1 to 202:3**

Price discrimination, §§ **503:1 to 503:3**

Replevin, §§ **1004:1 to 1004:7**

Research assistance

- Account stated actions, § **801:3**
- Action for goods sold, § **804:3**
- Bad check actions, § **802:3**
- Conversion actions, § **803:3**
- Pet dealers, claims against, § **202:3**
- Price discrimination, § **503:3**
- Replevin, § **1004:3**
- Unjust enrichment, § **1006:3**

Trover, § **803:1**

UCC adoption, § **402:1**

Unjust enrichment, §§ **1006:1 to 1006:6**

Verdicts, findings, and awards

- Account stated actions, § **801:5**

SALES OF GOODS—Cont'd

- Verdicts, findings, and awards—Cont'd
 - Action for goods sold, § 804:5
 - Replevin, § 1004:6
 - Unjust enrichment, § 1006:4
- Warranties, this index

SELF-DEFENSE

- Defenses to actions and claims, § 703:2

SEPARATE MAINTENANCE

- Generally, §§ 304:1 to 304:4
- Complaint forms, § 304:4
- Defenses to actions and claims, § 304:2
- Prima facie case, § 304:1
- Research assistance, § 304:3

SETTING ASIDE OR VACATING

- Generally, § 1204:2

SIGNATURE

- Pleadings, § 104:1

SLANDER

- Defamation, this index

SLANDER OF TITLE

- Generally, § 2003:1

SOVEREIGN IMMUNITY

- Generally, §§ 504:2, 703:2, 1203:2

SPECIFIC PERFORMANCE

- Generally, §§ 605:1 to 605:4
- Complaint forms, § 605:4
- Defenses to actions and claims, § 605:2
- Prima facie case, § 605:1
- Research assistance, § 605:3

SPECIFICITY OF PLEADING

- Prima facie case, § 301:1

SPOILIATION OR DESTRUCTION OF EVIDENCE

- Defenses to actions and claims, § 1005:2
- Jury instruction forms, § 1005:4
- Negligence, § 1412:1
- Prima facie case, § 1005:1
- Research assistance, § 1005:3

STATUTE OF FRAUDS

- Generally, § 603:2

SUMMONS

- Generally, § 102:1

INDEX

SUNSHINE LAW

Transparency or open government violation of, §§ 2101:1, 2101:2

TAXATION

Homestead exemption, §§ 1901:1 to 1901:3

THIRD PARTY BENEFICIARY CONTRACTS

Generally, §§ 603:1 to 603:5

Defenses to actions and claims, § 603:2

Jury instruction forms, § 603:5

Prima facie case, § 603:1

Research assistance, § 603:3

Verdicts, findings, and awards, § 603:4

THIRD-PARTY PRACTICE

Generally, §§ 1803:1, 1803:2

TROVER

Conversion actions, §§ 803:1 to 803:5

UCC WARRANTIES

Adoption of Uniform Commercial Code, § 402:1

Defenses to actions and claims, § 402:2

Jury instruction forms, § 402:5

Prima facie case, § 402:1

Research assistance, § 402:3

Verdicts, findings, and awards, § 402:4

UNCONSCIONABILITY

Generally, §§ 601:2, 808:2

UNFAIR TRADE PRACTICES

Deceptive or Unfair Trade Practices, this index

UNJUST ENRICHMENT

Action for, §§ 1006:1 to 1006:6

Defenses to actions and claims, § 1006:2

Jury instruction forms, § 1006:6

Prima facie case, § 1006:1

Research assistance, § 1006:3

Verdicts, findings, and awards, §§ 1006:4, 1006:5

USURY

Generally, §§ 505:1 to 505:4

Defenses to actions and claims, § 505:2

Jury instruction forms, § 505:4

Prima facie case, § 505:1

Research assistance, § 505:3

VACATING OR SETTING ASIDE

Generally, §§ 1204:1, 1204:2

VEIL PIERCING

- Complaint forms, § 807:4
- Defenses to actions and claims, § 807:2
- Prima facie case, § 807:1
- Research assistance, § 807:3

VENUE

- Jurisdiction and Venue, this index

VERDICTS, FINDINGS, AND AWARDS

- Account stated actions, § 801:5
- Advertising fraud, § 502:4
- Assault, § 1301:4
- Battery, § 1302:4
- Breach of contract, § 601:4
- Contractual relationships, § 606:4
- Damages, generally, § 1402:2
- Declaratory judgments, § 1101:4
- Defamation, § 1501:4
- Dog bite claims, § 201:4
- Interference with business relationship, § 404:4
- Jury verdict forms
 - Open account actions, § 806:5
 - Unjust enrichment, § 1006:5
 - Wrongful death claims, §§ 703:4, 703:6
- Libel, § 1501:4
- Malicious prosecution, § 1202:4
- Misleading advertisements, § 502:4
- Open account actions, §§ 806:5, 806:6
- Parental liability for tort of minor, § 305:4
- Promissory estoppel, § 1003:4
- Replevin, § 1004:6
- Rescission, § 604:4
- Slander, § 1501:4
- Third party beneficiary claims, § 603:4
- UCC warranties, § 402:4
- Unfair trade practices, § 501:4
- Unjust enrichment, §§ 1006:4, 1006:5
- Written contract breach, § 601:4
- Wrongful death claims, §§ 703:4, 703:6

VEXATIOUS LITIGANT LAW

- Generally, §§ 1801:1 to 1801:3
- Defenses to vexatious litigant claim, § 1801:2
- Prima facie case, § 1801:1
- Research assistance, § 1801:3

VICTIMS OF CRIME

- Estoppel, crime victim's estoppel of perpetrator in subsequent civil proceedings, §§ 1205:1, 1205:2

INDEX

WAIVER

Defensive pleading, § 501:2

WARRANTIES

Buyer's damages, § 402:2

Common law warranties, §§ 403:1 to 403:5

Damages for breach, § 601:2

Defenses

Common law warranties, § 403:2

Pet dealers, claims against, § 202:2

UCC warranties, § 402:2

Elements

Common law warranties, § 403:1

Pet dealers, claims against, § 202:1

UCC warranties, § 402:1

Jury instruction forms

Common law warranties, § 403:4

UCC warranties, § 402:5

Pet dealers, claims against, §§ 202:1 to 202:3

Research assistance

Common law warranties, § 403:3

Pet dealers, claims against, § 202:3

UCC warranties, § 402:3

Statutory warranties, §§ 202:1 to 202:3

UCC, §§ 402:1 to 402:5

Verdicts, findings, and awards, § 402:4

WEAPONS

Parental liability for torts of children, § 305:1

WILL CONTESTS

Generally, §§ 702:1 to 702:4

Defenses to actions and claims, § 702:2

Prima facie case, § 702:1

Research assistance, § 702:3

WORKERS' COMPENSATION IMMUNITY

Generally, § 703:2

WORTHLESS CHECK ACTIONS

Generally, §§ 802:1 to 802:6

Complaint forms, § 802:5

Defenses to actions and claims, § 802:2

Demand letters, § 802:4

Jury instruction forms, § 802:6

Prima facie case, § 802:1

Research assistance, § 802:3

WRONGFUL DEATH

Generally, §§ 703:1 to 703:6, 1412:2

WRONGFUL DEATH—Cont'd

- Defenses to actions and claims, § 703:2
- Jury instruction forms, § 703:5
- Party standing challenges, § 703:2
- Prima facie case, § 703:1
- Research assistance, § 703:3
- Verdicts, findings, and awards, §§ 703:4, 703:6

WRONGFUL GARNISHMENT

- Defenses to actions and claims, § 1203:2
- Malicious prosecution and wrongful garnishment compared, § 1203:1
- Prima facie case, § 1203:1
- Research assistance, § 1203:3

WRONGFUL TERMINATION

- Generally, §§ 901:1, 901:2