

Procedures/Preferences

No Discovery Docket	Cancelling Trial and Pre-Trial	Notify Judge of an Emergency Motion	Providing Judge with documents for Hearing	Using JAWS for Electronic Signature	How to upload Orders to JAWS for Electronic Signature
Set on UMC Docket	Detailed Instructions	After Motion is filed with clerk, email JA to notify.	Mail or hand-deliver the notice, motion(s), and any response(s), case law, or documentation to be considered to the Court at least three (3) business days prior to the hearing.	Submit AGREED Orders only, use PDF format. See detailed instructions below	Upload into Judges QUEUE, not into List. Choose correct Division Letter

AT A GLANCE PREFERENCES

UMC	Telephonic Hearings	15 & 30 Minute Hearings	Requesting Hearing exceeding 30 Minutes	Cancelling Hearings within 24 Hours of Hearing	Cancelling Hearing prior to 24 Hours of Hearing
Set on JAWS	Set on JAWS. Order not required	Set on JAWS.	Must be approved by Judge. E-mail request to JA	Call JA to notify. E-mail JA Notice of Cancellation	Scheduling party can cancel on JAWS. E-mail JA copy of Notice of Cancellation

AT A GLANCE SCHEDULING ON JAWS

BEFORE YOU SET A HEARING

Before filing any motion in a civil case, except (1) a motion for injunctive relief, (2) for judgment on the pleadings, (3) for summary judgment, (4) to dismiss or to permit maintenance of a class action, (5) to dismiss for failure to state a claim upon which relief can be granted, (6) or to involuntarily dismiss an action, the moving party shall confer with counsel for the opposing party in a good faith effort to resolve the issues raised by the motion, and shall file with the motion a statement certifying that the moving counsel has conferred with opposing counsel and stating whether counsel agree on the resolution of the motion. A certification to the effect that opposing counsel was unavailable for a conference before filing a motion is insufficient to satisfy the parties' obligation to confer. The moving party retains the duty to contact opposing counsel expeditiously after filing and to supplement the motion promptly with a statement certifying whether, or to what extent, the parties have resolved the issue(s) presented in the motion.

ODYSSEY

*PLEASE NOTE: E-FILING/ ODYSSEY IS NOT JAWS***
E-filing/Odyssey is the Clerk of Court's case management system. JAWS is the Thirteenth Judicial Circuit's case management system. E-filing documents through the e-portal will not automatically load on JAWS or notify the Judge's office. Filing a notice of your email address with the Clerk of Court will not input your email address into JAWS for purposes of receiving electronically signed orders/judgments, JAWS notifications or e-mails from the Court. JAWS requires e-mails to be registered on its software for each individual case and for each individual attorney or entity entitled to e-service.

SUBMITTING PROPOSED ORDERS FOR ELECTRONIC SIGNATURE

In submitting proposed orders/judgments through [JAWS](#), use PDF format when all parties have agreed to the form and content of the order/judgment. PDF documents should be created directly from the word processor, using "save as" PDF or printing to PDF, not by printing a document on paper and scanning it. Exhibits or attachments, however, may be scanned from paper documents.

UPLOAD "AGREED ORDERS" ONLY TO JAWS FOR ELECTRONIC SIGNATURE

1. Compliance with AO S-2017-070. All orders and judgments must comply fully with Administrative Order S-2017-070, **paragraphs 14-17**.
2. Only **AGREED** proposed Orders should be submitted through [JAWS](#) for electronic signature unless one or more person entitled to receive a copy cannot be served by email or is a pro se litigant, in which case the proposed order/judgment must be submitted in traditional paper form, provide copies, and pre-addressed stamped envelopes. Proposed Orders submitted through JAWS will be signed electronically. Electronically Conformed copies will be furnished to the parties via e-mail through JAWS.
3. The filing party must ascertain that the list of recipients ("associated parties" under [JAWS](#)) contains the correct email addresses of each person or entity entitled to receive a copy of the order.

Available Trial Weeks/Pre-Trial Conferences. Trial weeks and corresponding pre-trial conference dates can be viewed on this Court's website, click on "Schedule."

1. It is the responsibility of the parties to set their case for trial.
2. If a trial week has been agreed upon by all parties there is no need for a hearing.
3. Schedule case for trial on [JAWS](#) by entering the case on the Pre-trial Conference date under the drop down of "TRIAL-PRETRIAL", to obtain a time certain for the Pre-Trial Conference.
4. If a trial week cannot be agreed upon, set it for hearing on the UMC docket.
5. After the case has been entered on JAWS, prepare the Uniform Order Setting Cause for Trial, which can be found on the Court's web site under FORMS. Use the most recently revised Uniform Order.
6. Upload the Prepared Uniform Order in PDF format to [JAWS](#) for electronic signature in the Judge's "Queue" in the "Proposed Order" section. Attorneys will receive electronically conformed copies via e-mail.
7. If one or more person entitled to receive a copy cannot be served by e-mail or is a pro se litigant, the Uniform Order must be submitted in traditional paper form, provide copies, and pre-addressed stamped envelopes.

CANCELLING HEARINGS/TRIALS

1. **Cancelling Within 24 Hours Of Hearing.**
If cancelling a hearing within twenty-four (24) hours of the scheduled hearing, **IT IS IMPERATIVE** to notify the JA by phone and e-mailing a copy of the Notice of Cancellation. E-filing a document through the e-portal, **DOES NOT** automatically notify the Judge's office or the JA..
2. **Cancelling Hearing In Advance(prior to 24 hours)**
The scheduling party can cancel their own hearing through JAWS if done prior to twenty-four (24) hours of the scheduled hearing. E-mail the JA a copy of the Notice of Cancellation.
3. **Cancelling A Trial/Pre-Trial** If the case has settled, contact the Judicial Assistant by phone or e-mail so the case can be remove from the Trial/Pre-Trial Conference from the docket..
Pretrial conferences and trials cannot be cancelled by email, fax, or voicemail. Settlement- To cancel a pretrial conference when a case has settled, e-file (clerk) and TELEPHONE the court advising the case is settled. Order approving settlement must be submitted to chambers by e-mailing the JA to remove case from the Trial Docket. Otherwise attorneys need to be present for the pretrial conference. In the event a case settles after the pretrial conference, to cancel a trial you must follow the same procedure, otherwise attorneys need to be present for trial. PLEASE NOTE: Written notification must be provided to the Court when a case settles before the parties are excused from appearing at a pre-trial conference or trial.

PRO SE SELF - REPRESENTED PARTIES - SCHEDULING PROCEDURES

Pro se parties (acting on their own behalf, without an attorney) do not have access to the Judicial Automated Workflow System (JAWS) used by attorneys to schedule hearings. When a pro se party desires to schedule a hearing (regardless of the amount of hearing time) all hearings must be coordinated through the Court's email address (circivdivk@fjud13.org) copying all associated parties to the case.

Scheduling

Procedure

Contact Judicial Assistant. The party desiring to schedule a hearing must follow the procedure set forth below:

1. (Call or email) Send an email to the Judicial Assistant at the Court's email address including in the body of the email the following information:
 - i. The motion requiring hearing time.
 - ii. The date of filing of the motion with the clerk.
 - iii. The amount of hearing time requested.
 - iv. The date of the trial, if applicable.
2. The Court will e-mail available times to both sides (reply all). The parties/counsel of record shall have three business days to decide upon a mutually agreeable date and time..
3. Only one responsive e-mail is required, stating the mutually agreeable date and time. In the body of the responsive email, the following information must be repeated (to avoid lengthy search through multiple e-mails):
 - i. DATE / TIME / AMOUNT OF HEARING TIME
 - ii. EXACT NAME OF MOTION
4. Upon receipt of a mutually agreeable response, the Court will schedule the hearing which will appear on the Court's docket.
5. The prevailing party must prepare a Notice of Hearing and file the original with the clerk.
6. E-mail the Judicial Assistant a copy of the Notice.
7. Providing all parties affiliated with the case a copy of the Notice of Hearing

EMERGENCY MOTIONS

Emergency Motions MUST use the word "EMERGENCY" in the title and must be e-filed prior to contacting the Judge's office. After the motion is filed, E-mail the Judicial Assistant at circivdivk@fljud13.org. Include the style of the case, case number, the title of the motion, the date it was filed and the length of time you are requesting for the hearing. You will be contacted by the Judicial Assistant after the Judge has reviewed your request.

MORTGAGE FORECLOSURES

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Pursuant to AO 2016-043, Residential Foreclosures Division "N" is abolished effective January 1, 2017. Times have been designated for foreclosure hearings in categories:

Please set foreclosure trials and motions on the designated times reserved in JAWS.

FORECLOSURE HEARINGS

Please use the time slots designated for Foreclosure cases: "Contested Motions", "Uncontested Motion" and Non-Jury Trials. Contested motions are allowed ten (10) to fifteen (15) minutes each case. Uncontested hearings are allowed five (5) minutes, per case.

UNCONTESTED MOTIONS including (UNCONTESTED MSJ's)

These hearings are to be scheduled on JAWS, under

"RESIDENTIAL FORECLOSURE UNCONTESTED MOTIONS"

- a. Uncontested hearings are designed for five (5) minutes, per case.
- b. Contested motions are permitted *only* if it can be argued in five (5) minutes.
- c. The moving party should provide the court with their proposed Order/Judgment at the hearing, include extra copies for conforming and pre-addressed stamped envelopes for all parties.
- d. If the moving party will be appearing telephonically, documents should be sent to the Judge's chambers at least five (5) working days prior to the hearing, include extra copies for conforming and pre-addressed stamped envelopes for all parties.
- e. This is a multi-case docket. We expect parties to respect the timeframe designated for this docket.
- f. Uncontested Summary Judgment Motions Plaintiff must bring a complete final judgment package to the hearing, (including Final Disposition form) that complies with paragraph 10 of the AO 2015-049 to the Judge's chambers with copies and pre-addressed stamped envelopes. These hearings can be scheduled on the uncontested Motion docket for Foreclosure.

CONTESTED MOTIONS

These hearings are to be scheduled on JAWS, under

"RESIDENTIAL FORECLOSURE CONTESTED MOTIONS"

- a. Contested motions are allowed ten (10) to fifteen (15) minutes each case.
- b. The moving party should provide the court with their proposed Order/Judgment at the hearing, include extra copies for conforming and pre-addressed stamped envelopes for all parties.
- c. If the moving party will be appearing telephonically, documents should be sent to the Judge's chambers at least five (5) working days prior to the hearing, include extra copies for conforming and pre-addressed stamped envelopes for all parties.
- d. We expect parties to respect the timeframe designated for this docket.

NON-JURY TRIALS

These hearings are to be scheduled on JAWS, under

"RESIDENTIAL FORECLOSURE NON-JURY TRIALS"

- a. One Thursday a month is designated for contested Non-Jury Trials.
- b. Check JAWS for available dates under the dropdown of "Residential Foreclosure Non-Jury Trials."
- c. Coordinate a date with opposing parties and schedule your trial on JAWS.
- d. After scheduling on JAWS, prepare the "Residential Foreclosure Order Setting Non-Jury Trial and Directing Pre-trial Procedure" form which can be found on the Court's website on Judge Levens webpage under FORMS.
- e. Upload the Prepared Order in PDF format to [JAWS](#) for electronic signature in the Judge's "Queue" in the "Proposed Order" section. Attorneys will receive electronically conformed copies via e-mail.
- f. If one or more person entitled to receive a copy cannot be served by e-mail or is a pro se litigant, the Order must be submitted in traditional paper form, provide copies, and pre-addressed stamped envelopes.