

Judicial Practices and Procedures

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A. Communications with the Judicial Office

- **Method of Communication:** The preferred method of communication with this office is by email at civdivo@fljud13.org. Please include the following information in the email: Case Number, Case Name, and a description of the relevant issue/matter. (E.g., 2024-CC-1234; Doe v. Doe; One Hour Hearing Request)

In addition, the Court's Judicial Assistant, Paulina Skerrett, may be reached at (813) 272-0240. The Judicial Assistant may be able to assist with general questions about scheduling Court cases and docket but she cannot provide legal advice or discuss specific case details.

Parties should only contact the judicial office in accordance with these practices and procedures.

- **Ex parte Communications:** All communications with this office or the Judicial Assistant must comply with the Code of Judicial Conduct, including Canon Three, which prohibits a Judge from initiating, permitting, or considering ex parte communications and from considering other communications outside the presence of the Parties concerning a pending or impending proceeding, unless authorized by law. All Parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law.
- **Unsolicited Communications:** Unsolicited communications from non-parties will not be considered by the Court.
- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants (“Parties”) must provide an e-mail address to receive signed orders electronically, unless excused. See Fla. R. Gen. Prac. & Jud. Admin. 2.516 and Form 2.602. It is the Parties’ responsibility to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service.

To receive electronic notices and file documents in a case, please refer to the Hillsborough County Clerk of Court at: <https://hillsclerk.com> or the Hillsborough Online Viewing of Electronic Records (HOVER) at: <https://hover.hillsclerk.com/>

B. Scheduling Procedures

- **Scheduling Hearings:** A written motion must be filed with the Clerk before setting a matter for hearing in the Court’s E-Portal (“JAWS”) or requesting hearing time from the Judicial Assistant.

Hearings must be scheduled using JAWS. All matters requiring thirty (30) minutes or less may be scheduled through JAWS, unless time-sensitive or special circumstances exist. For matters that require more than thirty (30) minutes, an email must be sent to the Judicial Assistant at civdivo@fljud13.org which includes a copy of the motion/matter to be heard, and copying the opposing Party.

If the Parties are unable to identify or agree on a hearing date and time on JAWS, the scheduling Party should e-mail the Judicial Assistant, copying the opposing Party, to coordinate scheduling the hearing.

- **Court Scheduling on JAWS:**
 - UMC Calendar: Matters that can be heard within five (5) minutes.
 - Daily Fifteen (15) minutes: Matters that can be heard within fifteen (15) minutes.
 - Daily Thirty (30) minutes: Matters that can be heard within thirty (30) Minutes.
 - For matters that require more than thirty (30) minutes, an email must be sent to the Judicial Assistant at civdivo@fljud13.org which includes a copy of the motion/matter to be heard, and copying the opposing Party.
- **Notice of Hearing:** After obtaining a hearing time either through JAWS or the Judicial Assistant, a Notice of Hearing must be filed with the Clerk within Forty-Eight (48) hours from the time of scheduling, otherwise the hearing may be struck and the hearing time given to another matter. The Notice of Hearing should contain the document number (E.g. "Doc. #") and title of each matter/motion set for hearing. A Notice of Hearing involving any remote appearance must list the judicial Zoom credentials. All notices of hearing must contain the ADA notification required by Fla. R. Gen. Prac. & Jud. Admin. 2.540.
- **Unilateral Notice of Hearing:** Hearings may be unilaterally set only due to a lack of cooperation and with a minimum of thirty (30) day's notice. A Notice of Hearing filed unilaterally due to a lack of cooperation must contain a description, in detail, of the unsuccessful efforts made to reach an agreement on a hearing date. Unilaterally set hearings that do not sufficiently describe appropriate efforts to agree on a hearing date may be cancelled by the Court without notice.
- **Order of Proceedings:** Matters will typically be heard in the order they appear on the docket.
- **Continuance Procedure:** Continuances are disfavored and may be granted only upon good cause shown. A request for continuance should be submitted at least five (5) days prior to the scheduled Court date. Except for good cause shown, the motion must be signed by the Party requesting the continuance, as required by Fla. R. Gen. Prac. & Jud. Admin. 2.545(e).
- **Cancelling Hearings:** A Notice of Cancellation should be filed with the Clerk at least forty-eight (48) prior to the hearing. The Notice of Cancellation should be served on the opposing Party and a copy should be emailed to the Judicial Assistant as soon as possible.
- **Failing to Set a Motion for Hearing:** Simply filing a motion or objection does not relieve a Party from compliance with any applicable deadline or time limit, without a Court Order on said motion. Filed motions that have been pending for ninety (90) days or more without being scheduled for a

hearing are subject to being denied without prejudice by the Court, unless the filing party is able to show good cause for the delay in setting the matter for hearing.

C. Remote Appearance

- **Remote Appearance Procedure:** Pursuant to Fla. R. Gen. Prac. & Jud. Admin. 2.530(b), communication technology may be used for proceedings in this Division, subject to the Exceptions to Remote Appearances listed below. If a Party coordinates a hearing to take place via Zoom, the Zoom video information and meeting ID shall be included on the Notice of Hearing.
- **Platform Used:** The Court uses Zoom for remote appearances. A Party does not need an account to use Zoom and the service is free.
- **Platform Meeting ID#:** Meeting ID#: 958-090-2034
- **Exceptions to Remote Appearances:** The following proceedings will be held in person:
 - Evidentiary hearings.
 - Pretrial conferences (Except for initial appearance pretrial conferences for small claims set by the Clerk, which will be held by Zoom)
 - Jury trials and non-jury trials.
 - Landlord/Tenant Eviction cases.
 - Hearings scheduled for more than thirty (30) minutes.
 - Any other matter in which evidence will be taken.
- **Technology Needs:** If a Party does not have access to a computer with camera and speakers or a smart phone with video capability, they may still appear for a hearing by phone. At the scheduled time of the hearing, call 1 (301) 715-8592 and when prompted, enter the Meeting ID: 958-090-2034 Please note, if a Party appears by phone, the hearing may be rescheduled for another date where the Party may be directed to appear by video or in-person.
- **Additional Remote Appearance Requirements:** All Parties are reminded of the following matters of Courtroom etiquette, which apply equally to remote appearances, that will help make justice more accessible for all who come before the Court:
 - Display your first and last name.
 - Keep the microphone and video off until your case is called.
 - Turn on the microphone and video when your case is called.
 - Turn off the microphone and video when your case is concluded.

- Mute the microphone when you aren't speaking.
- Be aware of what is seen and heard through the camera and microphone.
- Act and appear as if you are in a Courtroom, including attire.
- Parties and non-parties who attend Court via remote technology may be removed for inappropriate conduct.

D. Submission of Orders and Judgments

- **Format:** All proposed Orders shall be submitted to the Court in PDF format via JAWS. If a Party is proceeding as a self-represented litigant, they may submit a proposed Order after a hearing to the Court on paper. Such a proposed Order must be accompanied by three (3) copies for conforming, along with pre-addressed, stamped envelopes for each Party in the case, and a cover letter.

Only upon the Court's request should a Party provide a Word copy of a proposed Order.

- **Deadline for Submissions:** Proposed Orders must be submitted to the Court within ten (10) days of the hearing or ruling. The Party charged with submitting the Order must consult with all Parties prior to submission of the proposed Order to the Court. Parties must make a genuine, good faith effort to agree on the language of the proposed Order.
- **Cover Letter:** All proposed Orders must be accompanied by a cover letter identifying the case, case number, hearing date (if any) and affirmatively stating whether the other Parties object or do not object to the form of the Order. It is not sufficient to state that the proposing Party has received no response.
- **Competing Proposed Orders:** If, following a hearing, the Parties are unable to agree to the form of an Order, they should order any available transcript, file a motion for clarification with said transcript attached, and set the matter for hearing.
- **Agreed Orders:** Proposed Orders on agreed-upon relief or relief sought jointly by the Parties should begin with "Agreed Order" in the caption. The Order should state that the Parties agree to the relief stated in the Order, and it should identify the docket entry of the filing that provides the basis for the Order. (E.g. Doc. #)
- **Damages:** All proposed Final Judgments including a damages award shall attach Florida Rules of Civil Procedure Form 1.977, Fact

Information Sheet, if applicable.

E. Submission of Materials (Memos, Case Law, Other Documents)

- **When Applicable:** If a Party wishes the Court to consider any materials, including legal authority, prior to a hearing, copies of such materials must be received by the Court and the opposing Party at least three (3) business days prior to the hearing.
- **Memorandums:** Memorandums in support of or in opposition to any pending motion/matter are encouraged so long as they are limited to twenty-five (25) pages.
- **Submitting Documents Previously Filed with the Clerk:** If a Party chooses to submit copies of pleadings or other documents that have previously been filed with the Clerk's office, only copies of such *filed* documents (with the Clerk's filing number on the first page and the date and time of filing inscribed on each page thereafter) should be submitted to the Court.
- **Format for Submitting Materials:** PDF or paper copies.
- **Submission Method:** E-mail, U.S. mail, or hand delivery.

F. Emergency and Other Urgent Matters

- **"Emergency" Matters:** Emergency motions are treated as emergencies and are reviewed by the Court forthwith. The designation of something as an emergency accords the pleading extraordinary treatment. A request for emergency relief signals to the Court that the Parties will treat the issue as an emergency that requires their and the Court's immediate attention. The unwarranted designation of a motion as an emergency may result in sanctions.
- **Requirements:** If a Party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the following must be filed: (1) the issues to be resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each Party's presentation.

If a Party files an emergency motion, including an ex parte motion, the correct contact information for the opposing Party should be included, including email address(es) and phone number(s). If the movant does

not have the contact information for the opposing Party, that should be stated in the motion.

- **Scheduling:** If the Court determines that an emergency exists, a hearing will be scheduled unilaterally by the Court. All Parties shall make themselves available for the emergency hearing, barring exigent circumstances.

If a Party files an emergency motion, that Party should be immediately available for an emergency hearing, including at night, on weekends, and in-person.

G. Witnesses or Exhibits for Evidentiary Proceedings

- **Witnesses:** At any evidentiary hearing or trial, the Parties are responsible for bringing any witnesses that they want to testify.
- **Exhibits:** At any evidentiary hearing or trial, the Parties are responsible for bringing any evidence they want the Court to consider. Evidence that is properly submitted to the Court during the hearing or trial will be taken by the Clerk and may not be returned without a Court order.
- **Exhibit Review:** All exhibits shall be provided or made available to the opposing Party to review *prior* to the commencement of the hearing or trial. Failure to do so may result in the matter being continued.
- **Exhibit Format:** Exhibits for a hearing or trial must be brought to the hearing in paper or an electronically stored format (E.g. flash drive). Parties must bring sufficient copies of each exhibit for the Clerk, the Court, and for each party. Exhibits should be labeled and numbered. (e.g. Plaintiff Exhibit “1”).

If a Party has document exhibits that are voluminous (E.g. more than one hundred pages), such documents should be Bates stamped/numbered.

The introduction of exhibits, such as photographs, video recordings, or documents, that are stored on a cellular phone or similar device, likely will require that the cellular phone itself be moved into evidence. Accordingly, the use of flash drives or paper copies is strongly encouraged for such exhibits.

H. Pretrial Procedures and Conferences

- **Case Management Conference (“CMC”):** Unless excused by the Court in advance, attendance at any CMC is mandatory and failure to appear may subject the non-appearing Party to sanctions, including but not limited to, dismissal/default. Parties represented by an attorney are not required to appear at a CMC so long as their attorney appears.

Any Party may request a CMC when a case requires. The Court strongly encourages the early use of CMC in more complex cases, multiple-party litigation, or any case that might benefit from Court involvement.

- **Status Conference:** Any Party may request a CMC or status conference when a case requires.
- **Requirements:** Any request for a CMC or status conference should articulate the reason(s) why such a conference is needed.
- **Scheduling:** If the Court agrees that a CMC or status conference is appropriate, the moving party may schedule the CMC or status conference through JAWS.
- **Small Claims Pre-Trial Conferences:** Except for the initial pretrial conferences for small claims set by the Clerk, Parties, including Plaintiffs and their attorney must appear in Court in person at a small claims pre-trial conference to avoid having the case dismissed/defaulted.

Unless the claim is admitted and the Parties agree to the entry of a final judgment, all cases will be referred to mediation prior to final hearing, trial, or the consideration of any motion for summary disposition.

- **Attorneys at Small Claims Pre-Trial Conferences:** The date and time of a small claims pre-trial conference cannot be rescheduled without good cause and prior Court approval. If an attorney has an unavoidable conflict, a written Motion to Continue Pre-Trial Conference should be filed and noticed for hearing at least five (5) business days *prior* to the Small Claims Pretrial Conference. An untimely Motion to Continue Pretrial Conference based on a calendar conflict may be denied.

Small Claims cases involving Parties with attorneys on both sides can agree to waive the Small Claims Pre-Trial Conference by submitting a Stipulated Motion and Order to the Court. If not already completed, the Order must include a requirement for the Parties to attend mediation within 120 days.

I. Setting Case for Trial

- **Scheduling:** To schedule a jury or non-jury trial date, Parties should file a Notice for Trial and send an email to the Division email at civdivo@fljud13.org, requesting final pretrial and trial dates. The Parties shall submit the desired trial month, and the Judicial Assistant will provide dates for the final pretrial conference and trial. After the Parties have selected the final pretrial and jury trial or non-jury trial dates, they will notify the JA via email of the agreed upon date. It is the responsibility of the Party setting the trial to prepare the Order setting trial and to file through JAWS for the Judge's signature.

The Court does not set date-certain trials during the trial periods. After the pre-trial conference, the Court will assign cases to specific days during the trial period and may assign back-up cases. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the entire trial period.

- **Trial Periods:** Pre-trial Conference dates and Trial weeks are available on the Division website under “Schedule.”
- **Small Claims Non-Jury Trials:** Will be set by the Court by Court Order on the Court’s regular trial calendar.
- **Mediation:** All cases must be mediated before trial.
- **Pre-Trial Motions:** For all cases subject to the Florida Rules of Civil Procedure, all motions, except motions in limine, must be heard before the Pre-Trial Conference. No motions will be heard after the Pre-Trial Conference.
- **Mandatory Attendance:** Attendance at the pretrial conference in person is mandatory.

J. Forms

- **Access:** Online information and forms related to civil litigation are available at <https://www.hillsclerk.com/Court-Services/County-Civil>.

K. Other Division Procedures

- **ADA Accommodations:** Please contact:

Administrative Office of the Courts
Attention: ADA Coordinator
800 E. Twiggs Street
Tampa, FL 33602 Phone: 813-272-7040
Hearing Impaired: 1-800-955-8771
Voice impaired: 1-800-955-8770
e-mail: ADA@fljud13.org

- **Interpreter Requests:** If needed, the Parties are responsible for providing their own interpreters.
- **Appearance:** All Parties should dress in business attire for court appearances.
- **Professionalism:** The Court expects the highest standards of professionalism, civility, candor, and preparation in the courtroom. Any attorney or Party displaying inappropriate conduct may be subject to sanctions.