

Judicial Practices and Procedures

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A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to FelonyDivB@fljud13.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2025-CF-001234 – State v. Doe - 2-Hour Hearing Requested.) The email should also explicitly state whether the opposing party opposes or agrees to the motion.

The opposing side must be copied on the email communication, unless authorized by law, or the communication will be deleted and ignored or, in some circumstances, the violator may be subject to sanctions.

- **Ex parte Communications:** All communications with the judicial office must comply with Canon 3 of the Code of Judicial Conduct, 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. Parties may only contact the judicial office in accordance with these practices and procedures.
- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an e-mail address to receive signed orders electronically, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516. It is the responsibility of attorneys and self-represented litigants to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service.
- **Response to Inquiries:** The judicial assistant is not authorized to provide legal advice.

B. Scheduling Procedures

- **Court Schedule:** Felony Division B is on a bi-weekly trial calendar. On trial weeks, the Court holds zoom dockets for arraignments and status matters. On non-trial weeks, the Court holds zoom dockets for arraignments, status, competency and evidentiary motion matters.
- **Scheduling Hearings:** Hearings must be requested by e-mail to FelonyDivB@fljud13.org. As previously requested, please include in the email the case name, number, the position of the opposing party, and how long is being requested. A courtesy copy of the motion is appreciated.
- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time. 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 Florida Rule of General Practice and Judicial Administration 2.540.
- **Submission Deadlines:** The court must receive all materials for the hearing no later than five business days before the hearing.
- **Order of Proceedings:** For zoom dockets, in-custody matters for which the defendant is appearing from the jail, will be called first. This will be followed by private attorney and special prosecutor cases and then public

defender matters. For in-person dockets, cases will be called in the order of the sign-up sheet.

All cases should be ready to proceed on the date and time for which they have been set. A defendant given notice and required to appear may be subject to a warrant for failing to appear (often called a *capias*) if the defendant is not present when the case is called.

- **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five 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 Florida Rule of General Practice and Judicial Administration 2.545(e).
- **Cancelling Hearings:** You must cancel hearings by notifying the judicial assistant immediately. You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant.

C. Remote Appearance

- **Remote Appearance Procedure:** The Court holds all arraignments and status matters on zoom. Motions are held on zoom and in-person, depending on the length of the hearing.
- **Platform Used:** The court uses Zoom for remote appearances. .
- **Platform Meeting ID#:** Meeting ID#: 994 7981 4509. To access zoom by dialing in, call (646) 558-8656.
- **Requirements:** For motions to be addressed on zoom, all parties must agree and plan to appear via zoom.
- **Technology Needs:** The person appearing by Zoom should be in an appropriate location with good lighting, clear audio and a reliable WiFi connection. All parties in the courtroom must equip themselves with the necessary cameras and equipment to make the proceeding function effectively.
- **Other Remote Appearance Procedures:** For defendants appearing via zoom for an arraignment, please sign in to zoom using your name and case number. You shall remain muted until your case is called. Please be prepared to share your phone number and email address with the court, if a Public Defender is being appointed to represent you. You will need a method of taking down your next court dates, set by Judge.

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be uploaded in PDF format.
- **Submission Method:** All proposed orders are to be submitted through the e-Filing portal, **only** if the parties on the case agree to the proposed order.
- **Deadline for Submissions:** Proposed orders must be submitted within 24 hours following the hearing or emailed request from the Court.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law, exhibits, or other relevant things may be submitted to the court for any evidentiary proceeding. Case law and legal authority are appreciated. The only exception is where the court expressly asks for courtesy copies to be supplied, in which case they are required.
- **Format:** The Court has no particular preference as to the format, except that electronic submissions are preferred to paper copies.
- **Submission Method:** Email to the Division—copying the opposing party—is the preferred method. If hard copies are submitted, they can be mailed or dropped off in the Division B dropbox.
- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than three business days before any evidentiary proceeding.

F. Emergency and Other Urgent Matters

- **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.
- **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.
- **Other Procedures Relating to Emergency and Other Urgent Matters:** Any matter the parties believe is an emergency must be

raised not only by the filing of the motion—ex parte or under seal, if necessary— but a copy of the motion must be emailed to chambers.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** Submit all exhibits electronically by e-mail to the division e-mail account.
- **Format:** Exhibits must be submitted to the clerk of court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the court, and each party to review during the hearing or trial. Exhibits must be labeled in the following format: State’s Exhibit 1 or Defendant’s Exhibit 1.
- **Deadline for Submissions:** All exhibits must be received in chambers three days before the evidentiary proceeding.

H. Pretrial Procedures and Conferences

- **Pretrial Conference:** All Pretrial Conferences will be conducted “In Person.” **THE ATTORNEY OF RECORD AND THE DEFENDANT’S PRESENCE IS REQUIRED** at said hearing as the Court conducts an extensive colloquy with both counsel of record and the Defendant regarding the following issues:
 - Any offers extended by State to the Defendant to resolve the case and revocation of such offer at the Pretrial Conference.
 - Whether or not the Defendant has had sufficient time to discuss the case with his attorney and the offer that has been extended by the State to resolve the case.
 - Whether Counsel for the Defendant has reviewed the Criminal Punishment Code Scoresheet with the Defendant.
 - The number of witnesses each side intends to call at the trial.
 - The length the trial is expected to last.
 - The deadline for counsel to inspect opposing counsel’s exhibits.
 - The timeframe for submitting jury instructions to the Court.
 - Any scheduling issues for witnesses, counsel, or the Defendant.
 - The tentative date for jury selection and subsequent trial.
- **Requirements:** For any defendant needing the assistance of an interpreter, please email interpreterrequest@fljud13.org.

I. Setting Case for Trial

- **Procedure:** The Court will set the case for trial at either a status conference, or, most commonly, at arraignment. All second and third

degree felony cases will be set for Pre-Trial and Jury Trial within the speedy trial period, at the Arraignment.

- **Notice Period:** The court does not set date-certain trials. 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.

J. Forms

- **Access:** Division forms are available at:
<https://www.fljud13.org/Forms.aspx>
- **Usage:** Division forms must be used for all relevant filings.

K. Other Division Procedures

- **ADA Accommodations:** If you need an ADA accommodation, please contact the Circuit ADA Coordinator,
<https://www.fljud13.org/BusinessOperations/CourtFacilities/ADAaccommodations.aspx> .
- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, please contact the Interpreter’s Office by sending an email to interpreterrequest@fljud13.org .
- **Substitution of Counsel:** For a case that has been set for Pre-Trial and Jury Trial, please be advised that a Motion for Substitution of Counsel **MUST** be filed and set for a hearing prior to the pretrial conference if counsel desires to withdraw or substitute in on a case.
- **Change of Pleas:** A change of plea for an incarcerated Defendant or a Defendant that is not in-custody will be conducted via Zoom *unless Counsel specifically requests an “In Person” hearing*. Counsel shall contact the Division B Judicial Assistant.
 - **Prior to obtaining a hearing date from the Division B Judicial Assistant,** all required forms must be filed with the Clerk of Court. Said forms for Zoom “Changes of Pleas” are the Waiver of Physical Presence in Court Form, DNA Form, Plea Form and the Fingerprint card (if defendant is out-of-custody). These forms can be found on the Thirteenth Judicial Circuit website under the Criminal Tab “forms” link or under section J of this page.

- **Attorneys:** Attorneys are required by the terms of those forms to discuss each of them *line by line with the Defendant in a private, confidential setting that allows for meaningful question and answer discussions*. Please note the plea form indicates that the Defendant has seen and agrees with the scoresheet as prepared by the State, so you must go over that document with the Defendant as well, and be prepared to answer questions regarding the same.
- **Signature on Forms:** Once the attorney has fully discussed **ALL** forms with the Defendant and obtained the Defendant's permission for the attorney to sign those forms for him/her (or, s/he has chance to sign them) the attorney shall file the forms with the Clerk of Court.
- **Filing of Forms:** Each form must be uploaded as a separate document via the E-Portal. Each individual case number requires each of these forms to be filed separately. VOP cases do not need the Felony Plea Form nor the DNA Form, but a **Waiver of Physical Presence in Court Form is required.**
- **Competency Motions:** All motions in which a party is requesting the Court to appoint a doctor for a Court Ordered Forensic Competency Evaluation shall be filed with the Clerk of Court. Once the motion has been filed, please email the Judicial Assistant at felonydivb@fljud13.org including a copy of the motion in the email. The Court will advise counsel of the doctor to be appointed from the approved Court Appointed List. Counsel requesting the evaluation shall be responsible for uploading the Order to the Court's work queue for signature.
- **Motions To Modify/Terminate Probation/Community Control:** The Court will review these motions in Chambers; therefore, a hearing date does not need to be secured when the motion is filed. A copy of the motion shall be mailed or forwarded via email to the Division B Judicial Assistant at felonydivb@fljud13.org, while the original motion is filed with the Clerk's Office. Once a response from DOC and State are received at the request of the Division B Judicial Assistant, the Court will review and either make a ruling in Chambers or determine that a hearing is necessary. The Division B Judicial Assistant will then reach out to the parties with further instructions, as necessary.
- **Bond Motions considered in Chambers by the Court:** The Court will consider a bond motion without evidence or hearing. A written Motion for Bond Reduction may be filed with the Clerk of Court and emailed to opposing counsel. A copy of the Motion for Bond Reduction shall be

forwarded to the Court via the Division B Judicial Assistant at felonydivb@fljud13.org. Once said motion has been filed and received by the Judicial Assistant, the Court will direct the State to file a written response with the Clerk of Court. A copy of said response by the State shall be filed, and emailed to the Court and opposing counsel within 24 hours. The Court will then rule on the bond motion by sending an email to all parties. Defense counsel shall then prepare an Order reflecting the Court's ruling and upload said Order to E-Portal for the Court's signature. All Orders shall be approved by the State prior to submitting to the Court for signature.

- **Bond Motions where Counsel is requesting a Hearing:** If Counsel desires to have an “In Court” hearing on a Bond Motion, Counsel shall contact the Division B Judicial Assistant at felonydivb@fljud13.org. The motion must be filed prior to requesting a hearing date. All Bond Motions are presumed to be conducted via Zoom ***unless counsel specifically requests an “In Person” hearing.***
- **Timing of Motions:** All motions shall be filed and heard prior to the Pre-Trial. All motions not heard prior to the Pre-Trial shall be deemed waived and shall not be grounds for a continuance.
- **Dispositional Dates: The Court has PERMANENTLY eliminated interim dispositional dates.** This, by no means, should be interpreted that counsel does not have an affirmative duty to continue to conduct discovery on a pending case and file any motions to require the Court to consider. It is incumbent upon a part to obtain a hearing date prior to the Pre-Trial date for said motions.