

Judicial Practices and Procedures County Criminal Division “A”

(last modified the 14th of January, 2026)

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Attorneys, at all times, shall conduct themselves consistent with the [Guidelines for Professional Conduct](#) set forth on the Florid Bar Website, as well as the [HCBA Standards of Professionalism](#), and abide by the requirements of [Administrative Order 2025-013](#).

STANDING PRETRIAL ORDER FOR CASES IN DIVISION A:

Due to the disparity of practices amid procedures in the various courtrooms within the Criminal Division of County Court, and in an effort to promote uniformity, consistency, and professionalism within the division, the Court hereby enters this Pretrial Order, which shall, consistent with the Florida Rules of Criminal Procedure, govern the manner and methods by which attorneys shall practice in this Court. For good cause shown, this Court may modify or waive these procedures on an individual basis.

If you are not represented by an Attorney, the Judicial Assistant (JA) cannot answer legal questions, give advice, or explain your situation to the Judge. Your opportunity to speak to the Judge happens in **COURT ONLY**, when all parties are given the opportunity to be present and heard.

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A. Communications with the Judicial Office

- Method of Communication:** The preferred method of communication with the Judicial Office is e-mail at CrimDivA@fljud13.org. All communication with the Judicial Office should include **case number and case name in the subject line.**
ALTHOUGH THE JA MAY SEND COMMUNICATIONS OUTSIDE OF BUSINESS HOURS, SHE MIGHT NOT RESPOND TO INCOMING COMMUNICATIONS.
- Ex parte Communications:** All parties must be copied on any e-mail directed to the Judicial Office, unless an ex parte communication is authorized by law. 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.
- 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 **CANNOT** answer your legal questions and will not explain your situation to the Judge. Your opportunity to speak to the Judge happens in court. No information regarding any case will be provided to anyone other than the Defendant, ONLY if they are not being represented

by an Attorney. If the Defendant is represented by Counsel, all requests or motions shall be filed and argued by Counsel.

B. Scheduling Procedures

- **Court Schedule:** Morning Court starts promptly at 9:00am Monday through Friday. Afternoon Court starts at 1:30pm Tuesday through Friday, with the exception being 1:45pm on Monday afternoons. On the day of Jury Picks and Trials, Court will start at 8:30am.
- **Arraignments:** Any case set for arraignment in which a Notice of Appearance has been filed by Private Counsel will be set for a disposition hearing if a Waiver of Speedy Trial is also filed. If a Waiver of Speedy Trial is not filed with a Notice of Appearance, the case will be automatically set for pretrial conference and a trial date. Defendants who are not in custody will appear in court personally. **Defendants who are in custody and scheduled for arraignment will not be transported to court unless they are going to resolve their cases.** If the defendant will be resolving their case at arraignment, please notify the JA **at least 24 hours prior to the arraignment date** with the name and case number, as well as letting the JA know if they need to be transported to accept their offer (i.e. an offer more than time-served, an enhanceable offense that requires fingerprints). For those defendants not resolving their cases, the Judge will reset the case within an appropriate timeframe in order to protect the defendant's right to a speedy trial.
- **Dispositions:** Attorneys and the Defendant are expected to attend disposition hearings. It is Defense Counsel's responsibility to notify the Defendant when to appear at the hearing. If the case is not resolving, it is Defense Counsel's responsibility to file a written Waiver of the Defendant's presence. Attorneys have the option to ask for a new date in court or submit a Request for New Court Date form to the JA. Attorneys who are not on the disposition form list may contact the JA and request to be put on the list in order to receive a form by email. **Request For New Court Date Forms/Continuance Forms** are due Mondays by 12pm and must be returned by to the JA. They will not be accepted in court or if they were efiled before

being approved. An attorney failing to attend a disposition hearing without obtaining coverage and/or contacting the JA, could result in the case being set for trial and may result in a warrant being issued for the arrest of the defendant. **Defendants who are in custody and scheduled for disposition will not be transported to court unless they are going to resolve their cases.** If the defendant will be resolving their case at, please notify the JA **at least 24 hours prior** with the name and case number, as well as letting the JA know if they need to be transported to accept their offer.

- **Violations of Probation and Probation Motions:** VOPs will be heard on designated Mondays beginning at 9am, on non-trial weeks. On occasion, VOPs will be heard on some Thursdays beginning at 1:30pm. **The Court will not accept stipulated orders to withdraw VOP warrants or set bond.** You will need to file a motion prior to emailing the JA and opposing counsel for a court date. Counsel shall have the defendant's jail credit ready before the case is called in court. **All motions pertaining to probation will also be set for a hearing.**
 - **VOP Evidentiary Hearings:** All evidence, orders, judgments and other documents you wish to use or have entered into evidence at the VOP hearing must be submitted via E-filing at least four business days prior to the date of the scheduled hearing. Notice and copies should also be emailed to opposing counsel and to the Court. Any updates to the VOP affidavit regarding completed conditions must be provided to probation at least four business days prior to the date of the scheduled hearing.
 - **Pro Se/Self-Represented Litigants & Probation:** For pro se, self-represented defendant, after you fill out your motion to terminate or modify probation, you will file it with the Clerk of Court. Once filed, the Clerk's Office will contact the JA for a date and time. Once a date and time has been provided, notice will be sent out to all parties.
- **Motions:** **All pretrial motions to suppress, motions to dismiss, motions in limine requiring evidentiary hearings, and motions to exclude shall be filed and served upon opposing counsel at least 14 days prior to the hearing date.**

Motions that counsel would like to have heard must be filed before asking for a hearing date. All pretrial motions shall be in writing and heard **prior to the date of the pretrial conference**, except where otherwise specified. No motion, other than a legitimate emergency motion, will be set for a hearing unless the motion is electronically filed with the clerk prior to contacting the Judicial Assistant for a hearing date and time. The JA will check the court file when a request for a hearing is made to determine whether the motion is in the file. If the motion is not in the file, the motion will not be set for a hearing absent a representation from counsel that the motion has been filed but has not yet appeared for viewing. This process is facilitated if the attorney filing the motion includes the JA email address on the e-filing. **Please include the case number and defendant's name in the subject line when requesting a court date.** As a reminder: once a date is provided, you must **file your Notice of Hearing IMMEDIATELY.**

- **Discovery Motions And Motions In Limine:** All Motions in Limine and all motions pertaining to discovery disputes **SHALL** contain a statement by the moving party that a good faith attempt to resolve the matter without Court involvement has been made and **SHALL** describe the manner in which the attempt was made. ***Motions to Compel Discovery should be filed within 10 days after the date Discovery is due.*** Motions to Compel More Adequate Responses to Discovery should be filed ***within 10 days*** of receipt of the alleged incomplete Discovery. **Lack of diligence in pursuing remedies for discovery disputes will be considered in determining whether to grant a continuance or to which party a continuance should be charged.**
- **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, the Judicial Assistant can be emailed for a court date. If the Court decides an evaluation is appropriate at the motion hearing, the Judge will inform Counsel of the doctor to be appointed from the Court Appointed Psychiatrist/Psychologists for Competency Evaluations to Stand Trial list, as well as the return date for the evaluation. The

Counsel requesting the evaluation shall be responsible for uploading the Order to the Court's work queue in the E-Portal for signature.

- **Motions for Discharge, Motions for Speedy Trial, and Notices of Expiration of Time for Speedy Trial** are the only motions and notices accepted by the Clerk without a Notice of Hearing. Upon receipt of a Motion for Discharge, Motion for Speedy Trial, and Notice of Expiration of Time for Speedy Trial, the Clerk will immediately contact the JA for a hearing time. After obtaining a hearing time, the Clerk will notify all necessary parties.
- **Pleas: *ALL PLEAS ARE IN PERSON, UNLESS A PLEA IN ABSENTIA HAS BEEN PREVIOUSLY APPROVED BY THE COURT.*** Negotiated pleas should be conveyed to, and fully discussed with, the defendant prior to announcing the plea in Court. Such discussion should include the minimum and maximum penalties and the issues covered in Rule 3.172. If counsel wishes to address the Court on any issue regarding the plea, this should be done at the time the plea is first announced, not after the plea colloquy has been concluded.
 - A written Plea in Absentia must be presented to the court that comports with the requirements of Florida Rule of Criminal Procedure 3.172. If a plea being entered is for an enhanceable offense, the written colloquy must include an acknowledgement that the defendant has been advised of the enhancement ramifications for said offense should the defendant reoffend in the future for that offense.
 - **PIAs for any enhanceable offenses, and in any case in which the defendant is being placed on probation, must include, in addition to the plea forms: full fingerprints, acknowledgement and waiver of rights in absentia, and a written waiver of personal appearance in court.**
 - PIA packets should be filed with the Clerk via the Florida E-Portal and must be received before the date of the hearing. For cases requiring fingerprints, a scanned copy of the prints must be filed as well. No documents are required to be provided to the Court as the Court will rely on the case file. A plea of guilty or no contest to a criminal offense will

not be accepted based strictly on counsel stating that they have their client's authority to enter the plea when the defendant is not present and counsel does not have a written plea in absentia to present to the court.

The Court regularly schedules changes of pleas, and will conduct them on its next available docket, if possible. Please email the Judicial Assistant to schedule Change of Pleas, as well as including opposing counsel. ***Out-of-custody defendants accepting a term of incarceration must appear in person for their plea and must be ready to immediately serve their sentence.***

For your convenience, the following links below give access to the forms that **MUST BE REVIEWED WITH THE DEFENDANT:**

1. [Acknowledgement and Waiver of Rights in Absentia](#)
2. [Plea Form and Waiver of Rights](#)
3. [13th Circuitry Fingerprint Card](#)

- **Scheduling Hearings:** To schedule a hearing, please email the JA at CrimDivA@fljud13.org. **You must have all parties copied on the email directed to the Judicial Office unless an ex parte communication is authorized by law.** 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. Please put the Defendant's name and case number in the subject line. **Failure to do so will result in a delay in response.**
- **Notice of Hearing:** When date is agreed to and the JA responds to the email with a date, you must file and serve your Notice of Hearing **IMMEDIATELY**. **You must adhere by this unless otherwise specified by the JA. Late files will result in the case not being set and a new date will be provided.**

All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.

- **Submission Deadlines:** Exhibits, responses to motions and copies of case law must be provided to the Judge's chambers no later than three (3) business days before the hearing.
- **Order of Proceedings:** Parties represented by Attorneys will generally be heard first. The Court will then handle In-Custody Defendants. Please check-in with the Courtroom Deputies to advise of scheduling conflicts.
- **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five (5) business 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:** Do not cancel a hearing without notification and agreement of all parties. A Notice of Cancellation **MUST** be immediately e-filed with the Clerk of Court **AND** a courtesy copy of said Notice of Cancellation sent to the division email address at CrimDivA@fljud13.org.
- **Other Scheduling Procedures: ALL CASES ARE IN PERSON.** Attorneys and their client(s) are **EXPECTED** to attend disposition hearings unless a written waiver has been previously filed with the Court. In certain circumstances the Court **MAY** require the appearance of the defendant regardless of whether a written waiver has been previously filed. The Defendant and Attorney are **REQUIRED** to appear at all pretrial conference hearings.

All Assistant State Attorneys and Assistant Public Defenders are REQUIRED to be in the Courtroom at least 30 minutes prior to the dockets start time.

C. Remote Appearance

- **Remote Appearance Procedure:** The court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Due to the pace and volume of the proceedings in criminal courts, good cause must be established in order to appear remotely. The movant must set forth legally sufficient cause to justify use of remote presence technology. Requests to use communication technology for an appearance must be made by motion **NO LESS THAN TEN (10) BUSINESS DAYS** before the hearing.

- **Platform Used:** The court uses Zoom for remote appearances.

- **Other Remote Appearance Procedures:**
 1. Individuals/parties appearing remotely must clearly indicate their name on screen.
 2. All parties are to remain muted until their matter is called or it is their turn to address the Court.
 3. All parties shall be appropriately dressed, as well as have their names displayed correctly. Parties will be brought in from the waiting room one case at a time to cut down on confusion and background noise. ***All parties are expected to still adhere to [Guidelines for Professional Conduct](#). Any party not ready or causing a hinderance to the court process will be removed from the Zoom Hearing and rescheduled for an in-person.***
 4. Make sure to list all parties'/attorneys' technological capabilities. These include, but are not limited to: the type of internet connection (broadband wired/Wi-Fi vs cellular 3G, 4G, 5G, LTE), the type of operating system being utilized, the type and/or speed of the processor being utilized, the type of web browser being utilized, whether or not the party/attorney is using Zoom via the program/app or via the Zoom website, what is the BANDWIDTH that is being utilized (make sure to list the upload and download speed in Mbps/Gbps).

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in PDF format. All stipulated

orders must be reflected as such in the title or body of the proposed order. All proposed orders must be accompanied by a cover letter either (1) certifying that all parties agree to the order or (2) containing a statement identifying any disagreement of the parties as to the proposed order.

- **Submission Method:** Proposed Orders that are agreed upon by the parties should be submitted to the Judge electronically through the Florida E-Filing Portal.
- **Deadline for Submissions:** Unless otherwise specified by the Court, the Attorney or self-represented party directed to prepare the Order must submit the proposed order to the Court within **five (5) business days after the Court's decision**.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law and any proposed reference materials shall be submitted to the court. The Court frowns upon case law submitted at the hearing when neither the Court nor the parties have had an opportunity to review.
- **Format:** Physical/paper/hard copies of the case law and/or exhibits must be submitted to the Court.
- **Submission Method:** Physical/paper/hard copies of the case law and/or exhibits may be submitted to Chambers.
- **Deadline for Submissions:** Courtesy copies must be submitted to the Court no less than three (3) days prior to any proceeding in which case law/evidence is to be used.

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

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** Physical/paper/hard copies of the exhibits may be submitted to Chambers.
- **Format:** All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the Court and each party to review during the hearing or trial. Exhibits must be labeled in the following format: “Petitioner/Plaintiff #1” or “Respondent/Defendant A”. Please also organize the binders/documents with a “Table of Contents” with corresponding tabs displaying the documents.
- **Deadline for Submissions:** Courtesy copies must be submitted to the Court no less than three (3) business days prior to any proceeding in which case law/evidence is to be used.
- **Other Procedures Relating to Exhibits for Evidentiary Proceedings:** Any material delivered to this court less than the deadline provided above for the hearing WILL NOT BE REVIEWED OR CONSIDERED AT THE HEARING.

H. Pretrial Procedures and Conferences

Except for good cause shown, all evidentiary and other motions must be filed, heard and resolved prior to the Pretrial Conference (Administrative Order 2024-015).

- **Procedures Relating To Pretrial Procedures and Conferences:** The defendant is required to appear, in person, at all Pretrial Conference hearings, unless a written waiver has been previously filed with the Court, or a warrant may be issued for the defendant. In certain circumstances, the Court may waive the appearance of the defendant without a waiver, but this is on a case by case basis.
 - The Court recognizes the term “Pretrial Conference” as used in Florida Rules of Criminal Procedures 3.180(a)(3) and 3.220(o)(1) to refer to any hearing held prior to a trial. However, this Court specifically uses the term “Pretrial” to refer

to the last hearing scheduled before a Jury Trial (as distinguished from disposition dates or motion hearings).

- The defendant's personal presence at the pretrial hearing is vital because it gives the Court the opportunity to conduct a colloquy regarding any plea offers from the State as well as ensure the defendant is aware of any and all minimum and maximum sanctions. Without their presence, the Court cannot discern the defendant's understanding of the potential penalties and ascertain that they are knowingly and voluntarily choosing to proceed to trial. Further, the Court uses the pretrial hearing to assess whether the parties are prepared for trial. The Court finds it necessary for the defendant to personally participate in these proceedings as it is the last opportunity to resolve the case prior to Trial and to ensure the defendant is aware of the status of the case. ***Therefore, the Court finds attendance in person at a Pretrial Conference is a good cause finding and the Court can require the attendance of the defendant. Jimenez v. State, 201 So. 3d 214 (2nd DCA 2016).***
- There is a Last Call docket, however, the parties are encouraged to resolve cases at the Pretrial Conference and not wait until the Last Call docket. **Last Call should be reserved for those cases in which a genuine and unavoidable reason exists for the delay.**

MOTION TO CONTINUE:

A disposition sheet shall not be used for a case set for Pretrial. Any motion for continuance SHALL state whether any prior motion for continuance has been filed and shall, as with any other motion, be in WRITING and be set and heard prior to the trial date. Stipulated Continuances **are not** considered by the Court. Any continuance granted after the pretrial conference will be governed by the Florida Rule of Criminal procedure 3.190(f) and will be granted only upon written motion and a finding of good cause.

I. Setting Case for Trial

This Court expects all parties to be prepared and ready for trial on the morning of the trial date. Defendants who are late to court on trial morning should expect a warrant to be issued. All objections made during trial, or any other evidentiary proceeding shall

be supported by specific statutory authority or case law, which shall be provided, if requested by the Court, at the time of the objection.

If a Defendant is entitled to a Jury Trial but elects to have a Non-Jury Trial, the Defendant must personally sign and file with the court a ***Waiver of Jury Trial*** form. A written document requesting a trial date without specifying a jury or non-jury trial will be deemed a request for a jury trial unless a Waiver of Jury Trial form has been previously filed. If a non-jury trial date is to be set at arraignment or pretrial conference, and a Waiver of Jury Trial form has not been filed, the defendant must be present at the arraignment or pretrial conference.

JURY SELECTION AND TRIAL SUBPOENAS:

County Criminal Division D will conduct Jury Selection on Tuesdays at 8:30am on Trial Weeks, unless otherwise discussed at Pretrial. Please ensure your trial subpoenas are for the period beginning the Monday prior to Division D's jury pick day and ending the following Monday.

JURY INSTRUCTIONS:

The State shall email proposed Jury Instructions to the JA no later than 3pm on the Monday of the week of trial, being sure to copy opposing counsel. The parties shall attempt to agree on the jury instructions, before submitting them to the Court. If the parties cannot agree on the instructions, they should specifically indicate those that have not been agreed to at the beginning of the page of the non-agreed to jury instruction. The Defense may submit any specially requested jury instructions that have not been agreed to by the State at the same time the State is required to provide jury instructions. ***If you have not resolved your case at the Last Call docket, that takes place following pretrial and the Monday before jury pick, you should anticipate going to trial.***

WITNESS LIST:

At the same time jury instructions are submitted, counsel for the State and the Defendant shall furnish to each other, and the Court and clerk, and file via E-Portal, a

list of the names of all witnesses who are expected to testify at the trial of this cause (preferably in the numerical order in which they are to be called).

EXHIBITS:

Exhibits shall be pre-marked sequentially and each page of an exhibit numbered. The parties shall attempt to agree to as many exhibits as possible prior to the start of the trial. **At or before jury selection**, counsel for the State and counsel for the Defendant shall furnish each other, and the Court and clerk, and file via E-Portal, an Exhibit List with exhibits numbered that correspond to all exhibits that have and are to be marked and introduced into trial.

EXHIBIT/EVIDENCE VIEW:

Prior to jury selection, counsel for the State and for the Defendant are directed to meet together by agreement, to review all evidence to be introduced into trial (and as contained on the Exhibit List(s)). Prior to opening statements, each counsel shall confer with each witness to review all exhibits planned to be referred to during testimony of that witness to ensure identification/authentication of evidence is done prior to the witness being called before the jury.

No hearing or trial shall be delayed or continued beyond the scheduled starting time because parties need to confer with a witness or review evidence with a witness.

J. Forms

- **Access:** Division forms are available at [Link](#).
- **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 ADA Coordinator via e-mail ADA@fljud13.org; telephone 1-813-272-7040; hearing impaired 1-800-955-8771; voice impaired 1-800-955-8770; or US Mail Administrative Office of the Courts, Attn.: ADA Coordinator, 800 E. Twiggs Street,

Tampa, FL 33602.

- **Interpreter Requests:** If an interpreter is needed for a hearing or trial, the parties are responsible for contact and securing the necessary interpreters. This is a due process division. The steps to secure interpreters must be done with enough time to procure enough of them. At least two are required for a trial with one foreign language speaker to give each other breaks, etc. Please be mindful of the practical details. Request interpreter services by emailing: interpreterrequest@fljud13.org or fill out a request form online:

<https://www.fljud13.org/CourtPrograms/CourtInterpreterCenter/ContactUs.aspx>

- **Other Division Procedures:**

Information about E-Filing is available from the [Hillsborough County Clerk Website](#).

- [Steps to Upload a Proposed Order to the Florida E-Portal](#)
- [Viewing Filed Documents \(HOVER\)](#)

The Hillsborough Online Viewing of Electronic Records (HOVER) provides remote viewing of court records maintained by the Hillsborough County Clerk of the Circuit Court, as authorized by [Florida Supreme Court Administrative Order 23-2](#). In this site, Attorneys of Record and Self-Represented Litigants (Pro Se) will have access to search case indexes and view case progress dockets not sealed or made confidential by Florida Rules of Judicial Procedure or court order.