

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 FelonyDivG@fljud13.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested)
- **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 cannot answer your legal questions, and will not explain your situation to the judge. Your opportunity to speak to the Judge will be in court only. 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:** Generally, the Court will hold two docket weeks in a row followed by back to back two week jury trial dockets. Pretrial conferences will be on Tuesday mornings beginning at 9:00 a.m. during the first two docket weeks. Jury trial weeks will begin on Mondays at 8:30 a.m. with the assigned week generally following the pretrial conference day order (i.e., first pretrial Tuesday will generally get the first jury trial week).

Pretrials and trials will generally be scheduled from arraignment. Status or disposition conferences are generally disfavored unless it will move the case toward resolution.

- **Arraignments: Private Counsel:** If there is a Notice of Appearance and Waiver of Arraignment filed that includes a waiver of the defendant's appearance, you and your client do not need to attend. Please be aware pretrial and trial dates will generally be set from arraignment regardless of whether you or your client appear for arraignment. Status or disposition conferences are generally disfavored unless it will move the case toward resolution.

In-custody defendants will not be transported to Arraignment. If you wish for your client to be transported to court, please email the Judicial Assistant.

Out of custody defendants shall appear for arraignment.

- **Scheduling Hearings:** Hearings must be requested by e-mail at FelonyDivG@fljud13.org copying opposing counsel and any self-represented litigant, to coordinate the scheduling of the hearing.
- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time by the moving party. 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 three business days before the hearing.
- **Order of Proceedings:** Parties represented by attorneys will generally be heard first. 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 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 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.

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:** Order shall be uploaded through the E-Filing Portal. If an order is disputed, each party shall submit a marked up Word version of their respective order to FELONYDIVG@fljud13.org.
- **Deadline for Submissions:** Proposed orders must be submitted within five (5) days after any hearing.

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.
- **Submission Method:** E-mail to FelonyDivG@fljud13.org.
- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than two days before the scheduled hearing.

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:** Submit all exhibits electronically through the E-Portal.
- **Format:** Exhibits must be submitted to the clerk of court in paper format, single-sided. 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:** Exhibits must be labeled in the following format: 'Petitioner/Plaintiff 1' or 'Respondent/Defendant A.'
- **Deadline for Submissions:** All exhibits must be received in chambers

three days before the evidentiary proceeding.

H. Pretrial Procedures and Conferences

- **Procedures Relating to Pretrial Procedures and Conferences:**
The Defendant must be present at the Pre-Trial Conference. The Defendant's personal presence at the pretrial conference is vital because it gives the Court the opportunity to conduct a colloquy regarding any plea offers from the State and make sure the Defendant is aware of the minimum sentence based on the Criminal Punishment Code scoresheet, the statutory maximum sentence, and any other factors that may affect his exposure to prison and other sanctions.

Without the Defendant's presence, the Court cannot discern the Defendant's understanding of the potential penalties and ascertain a knowing and voluntary choice to proceed with trial.

The Court uses the pretrial conference to assess whether the parties are prepared for trial. The Court queries both parties about any outstanding motions; whether depositions still need to be taken; how many witnesses each side will present; and the number of jurors needed for the panel.

The Court finds it is 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.

I. Setting Case for Trial

- **Procedure:** Pretrials and trials will generally be scheduled from arraignment. Status or disposition conferences are generally disfavored unless it will move the case toward resolution.
- **Notice Period:** Pretrials and trials will generally be scheduled from arraignment. The court generally does not set date-certain trials. At the pretrial conference and the jury pick day, the court will generally assign cases to specific days during the trial period and may refer the cases to other judicial officers for trial. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the entire trial period.

J. 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:**

Request interpreter services by emailing: interpreterrequest@fljud13.org or fill out a request form online <https://www.fljud13.org/CourtPrograms/CourtInterpreterCenter/ContactUs.aspx>

- **Motions for Early Termination / Modification of Probation:** Please make sure the Probation Officer is aware of your request before filing a Motion to Early Terminate / Modify Probation.

If you file a probation motion, fill out the form requesting termination / modification of probation and file your motion with the Clerk of Court. The format of the motion along with filing instructions can be found at the Public Defender's website: www.pd13.state.fl.us

A copy of the filed motion must be sent to the Probation Officer, the State Attorney and the Judge. Motions will be reviewed in Chambers and an Order Granting or Denying will be mailed out to the address provided by the movant.

If the Judge determines a hearing on the motion is required, the court will set the matter for hearing.

Motions regarding probation termination or modification will normally be decided within two to three weeks. Please DO NOT call or email our office to ask for a status prior to three weeks after filing.

Please note, the Judicial Assistant is not permitted to give legal advice.