

INTERNET SCHEDULING USING BENCHMARK

PLEASE READ AND BECOME FAMILIAR WITH THESE RULES BEFORE SCHEDULING ON THE BENCHMARK SYSTEM

The following rules will apply when scheduling ANY HEARING in Division 47:

1. Division 47 court events will be scheduled as follows: Family hearings scheduled before Judge France, Division 47, will be held at the Kim C. Hammond Justice Center, 1769 E. Moody Blvd., Bldg. 1, Courtroom 403, Bunnell, FL 32110.

2. Detailed instructions on using the Benchmark system begin on Page 3 of this document.

3. **DO NOT ISSUE A NOTICE OF HEARING UNTIL YOU HAVE CONFIRMATION YOUR CASE IS ON THE COURT DOCKET.** If a Notice is filed before the case appears on the docket, the hearing time will be cancelled without notice.

4. The parties are free to select the amount of time they deem appropriate for hearings. Hearing times are shown in 30 minute increments.

5. If you are scheduling a case for hearing and your hearing requires 60 minutes or more, you will need to block the appropriate number of 30 minute segments to reserve that time.. It is critically important that the time reserved for the hearing be appropriate so that other hearings can start on time. Schedule hearings sequentially and avoid gaps between hearings. Please make sure that you include the specific matter being heard with Docket Number and time reserved in the Event Note field when scheduling.

6. The system will not allow you to reserve time for hearings on a Motion or Petition that has not yet been filed. A case must exist in the Benchmark system prior to scheduling a hearing. File your motion first, then reserve the hearing time.

7. Scheduling on the Benchmark system is a three part process. First, find a date and time for the hearing that is mutually convenient for all counsel and parties, making sure that sufficient time is available to allow all interested parties and counsel to be fully heard on the matter. This rule applies to ALL hearings.

8. Second, after selecting a mutually convenient date and time, reserve the time on the Benchmark system. You will need to enter the case number on the Benchmark system in order to schedule the hearing. The time and date have not been reserved until this part of the process is successfully completed. If you haven't completed this step, your time will likely be reserved by others for other cases and your case will not be heard. You will know that you have successfully reserved the hearing time when you receive a hearing confirmation on screen and see your case listed on the Docket on the Summary Page of the case under "Events". If you

receive an onscreen notice the case has been added to event queue for approval, this is NOT a confirmation. The request must be accepted or rejected by the judicial assistant before it can be scheduled and confirmed.

9. The third and final step is to prepare and serve a traditional Notice of Hearing on all parties and/or counsel. The Notice should be served on the same day that the hearing time is coordinated between the parties and/or counsel. The Court does not need a copy of the Motion being heard, nor a copy of the Notice of Hearing. Judge France Requires the Motion, Docket Number, and time reserved on all Notices.

10. Counsel may appear telephonically at any NON-EVIDENTIARY hearing through CourtCall. No motion for telephonic appearance by counsel is required. Instructions regarding CourtCall appearances can be found on the Court's webpage under CourtCall Telephonic Appearances. Attorneys or parties may not attend matters by telephone using the Court's regular phone number. Personal attendance by parties and counsel is always encouraged.

11. When a hearing is scheduled, it is the scheduling attorney's responsibility to provide the original notice of hearing to the clerk of court with a copy to opposing counsel.

12. All cancellations must be completed no later than three days prior to the hearing. Parties and counsel are required to appear at any hearing not cancelled at least three days prior to the hearing even if the matter has been resolved. Only the judicial assistant can cancel a hearing, so all requests for cancellations must be done via telephone to (386) 313-4515 or sent via email to jsirman@circuit7.org. Even though a Notice of Cancellation may be filed with the Clerk, it is necessary to contact the judicial assistant directly. Please keep in mind that it is the Court's obligation to try to use judicial time efficiently and effectively. The practice of scheduling hearings and then cancelling the hearing with insufficient time for the court to use that time for other matters is frowned upon and may result in the offending parties' loss of scheduling privileges or the ability to appear at the hearings by phone.

13. Failure to comply with the above instructions may result in cancellation of your hearing by the Court, suspension of Benchmark scheduling privileges, or other sanctions deemed necessary by the Court.

HOW TO SCHEDULE USING THE BENCHMARK CALENDAR SYSTEM

1. Go to Website – <https://apps.flaglerclerk.com/Benchmark/>
2. Type in your username and password on the top left of the page and hit the Login button. If you have not previously registered with the Flagler Clerk of Court, go to <http://flaglerclerk.com/pdf/courtrecordsagreement.pdf> to download the application for Benchmark Judicial Viewer access. The completed application must be submitted to techsupport@flaglerclerk.com.
3. Available court event slots can be found by browsing the Calendar screen or you can do an initial search on the Court Docket screen to narrow down available dates for a particular event type (go to page 6 for instructions on using the Court Docket).
4. Once logged into the Benchmark system, select Calendar from the Navigation Bar on the left
5. The Calendar will be displayed on the right of the screen. The default view is Month displaying all scheduled court events. Click the Select Judge drop down menu and choose FRANCE, CHRISTOPHER A. to view only events on the calendar for Division 47 (Family).
6. Scroll through the calendar to find the preferred date for your hearing. An open block can be identified by the Event Type (such as HEARING, INJUNCTIONS, NON JURY TRIAL, etc.) and available case slots (0/1). You cannot add a case to a court event when the event is full. If you try to schedule an event for full docket, a request is sent to the judicial assistant for review.
7. When you have found an open block, click to select the block and the Court Event box will appear on the upper left. Click the Schedule Case button to schedule your hearing. If the Schedule Case button does not appear, it is not available for Internet scheduling and you must contact the judicial assistant.
8. The Add Case to Court Event pop-up window appears. Search for your case either by entering a case number or a party name and hit the Find button.
9. **Make sure you enter the hearing specifics (e.g., Motion to Dismiss) in the “Event Note” field along with the Docket Number.**
10. Find your case in the search results and click the Add to add to the docket. NOTE: THE ADD AND PRINT NOTICE OPTION IS NOT AVAILABLE TO ATTORNEYS.
11. The parties are free to select the amount of time they deem appropriate for their hearing. For example, if your hearing requires 30 minutes, or 60 minutes, you will need to block the appropriate number of 30 minute segments to reserve that time. ANY SCHEDULING OVER TWO HOURS WILL NEED TO BE MADE WITH THE JUDICIAL ASSISTANT. ANY TIME

THAT IS LESS THAN THE 30 MINUTE INCREMENT, MAY BE SCHEDULED ON ANY GIVEN DAY AT 8:45 A.M. PENDING AVAILABILITY. **It is critically important that the time reserved for the hearing be appropriate so that other hearings can start on time.**

Schedule hearings sequentially and avoid gaps between hearings.

12. If the “Schedule Case” button does not appear, this event is not open for direct booking.

13. When a hearing is successfully scheduled, you will see a prompt at the bottom of the screen. You can also verify the hearing is scheduled by clicking the View Docket button and confirming the case is now on the docket.

14. If you receive the prompt when scheduling a hearing that your case was added to a queue for approval, it has been sent to the judicial assistant for review. Your hearing IS NOT on the docket.

15. Your queued cases will appear on the top left of the screen when you login to Benchmark and view the Calendar.

16. If there are questions about the status of a queued hearing request, please contact the judicial assistant at jsirman@circuit7.org or via telephone at (386) 313-4515.