

INTERNET SCHEDULING USING BENCHMARK

The following rules will apply when scheduling ANY HEARING in Division 32:

1. All civil hearings (including foreclosure hearings) before Judge Orfinger, Division 32, will be held at the Volusia County Courthouse Annex, 125 E. Orange Avenue, **Hearing Room 304**, Daytona Beach, FL 32114.
2. **PLEASE READ AND BECOME FAMILIAR WITH THESE RULES BEFORE SCHEDULING ON THE BENCHMARK SYSTEM.** 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. **Hearings may only be scheduled up to four months in advance**, even if the event blocks appear on the calendar further in the future. If you schedule a hearing more than four months into the future it will be cancelled without notice.
5. The parties are free to select the amount of time they deem appropriate for hearings. Hearing times are either shown in 5, 10 and 15 minute increments, or in an event block with a maximum number of cases allowed (e.g. **0/20** or **15/50**).
6. If you are scheduling a case for hearings available in increments, and your hearing requires 30 minutes, 45 minutes or 60 minutes, you will need to block the appropriate number of 15 minute segments to reserve that time. **Any scheduling over one hour will need to be made with the judicial assistant.** 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 and time needed in the Event Note field.
7. If you are scheduling a case for a hearing with a maximum number of cases allowed, you may schedule up to the maximum case allowance. For example, if the Calendar shows an event **Foreclosure Hearing (18/20)**, then two more cases can be added to the docket. **Any requests above the case limit must be sent to the judicial assistant.** Please make sure that you include the specific matter being heard and time needed in the Event Note field.
8. 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.
9. 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, including hearings in foreclosure matters.
10. Second, after selecting a mutually convenient date and time, reserve the time on the Benchmark system. You will need to look up the case 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. If you receive an on-screen notice the case has been added to event queue for approval, this is **NOT** a confirmation. The

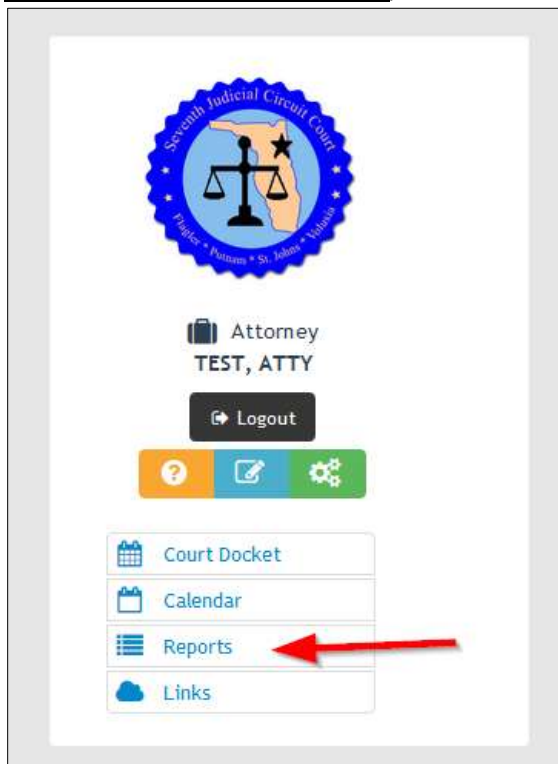
request must be reviewed by the judicial assistant before it can be scheduled and confirmed. Your case will not appear on the Docket.

11. The third and final step is to prepare and serve a traditional Notice of Hearing on the Court and 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. Please file the original Notice with the Clerk. **The Court will not hear any Motion that has not been properly noticed for hearing.**
12. Counsel may appear telephonically at any hearing, except evidentiary hearings, through CourtCall. No motion 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.**
13. **Mortgage Foreclosure Hearings.** To schedule a foreclosure hearing, first identify an available date and time with a **Foreclosure Hearing** event type. This can be found by reviewing the Judge's calendar or by searching under the **Court Docket** screen.
14. 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 the judicial assistant and opposing counsel.
15. **All cancellations must be completed no later than five days prior to the hearing. Parties and counsel are required to appear at any hearing not cancelled at least five days prior to the hearing, unless prior to the cancellation, the parties have submitted an agreed order to the Court fully resolving the matters to be heard. Only the judicial assistant can cancel a hearing, so all requests for cancellations must be sent in email to Dana Holmes at dholmes@circuit7.org. Even though a Notice of Cancellation may be filed with the Clerk, it is necessary to contact the judicial assistant directly.**
16. 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.
17. Failure to comply with these instructions may result in cancellation of your hearing by the Court, suspension of Benchmark scheduling privileges, or other sanctions deemed necessary by the Court.

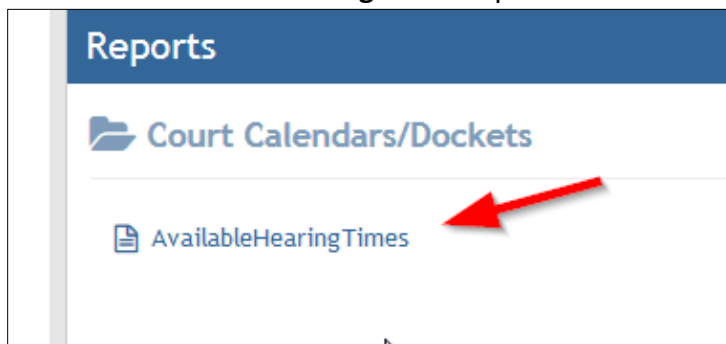
HOW TO USE THE BENCHMARK CALENDAR SYSTEM

Please review the judge's scheduling rules before reserving time!

1. Go to Website – <https://judviewvolusia.circuit7.org/BenchmarkWebLive>. You can use Firefox or Internet Explorer 11 (no Compatibility Mode) to login to Benchmark; other browsers are not supported (Chrome, Safari, Opera, etc.)
2. Type in your username and password on the top left of the page and hit the Login button.
(If you do not have a username and password, go to http://www.circuit7.org/Attorney%20Resources/VOLUSIA_COUNTY_BENCHMARK_REGISTRATION_APPLICATION.pdf and download the application for Benchmark access).
3. To find available hearing time, select the **Report** menu:



4. Select the **Available Hearing Times** report.



5. In the **Report Options** window, choose a beginning and end date, the appropriate Judge and the Event Type (if needed - see the judge's web page for specific guidelines), then click **Submit**.

Report Options

Select the options and click submit

Begin Date:

End Date:

Judge: ▼

Event Type: ▼

6. A PDF report will display on-screen showing all available hearing dates.

RunReport - Mozilla Firefox
<https://10.64.20.130/BenchmarkWebTest/Reports.aspx/RunReport>
 Page: 1 of 1 Automatic Zoom

VOLUSIA - 7th Judicial Circuit
AVAILABLE HEARING TIMES
 JUDGE: TEST, JUDGE
 EVENT TYPE: All Event Types

Printed: 12/22/2016

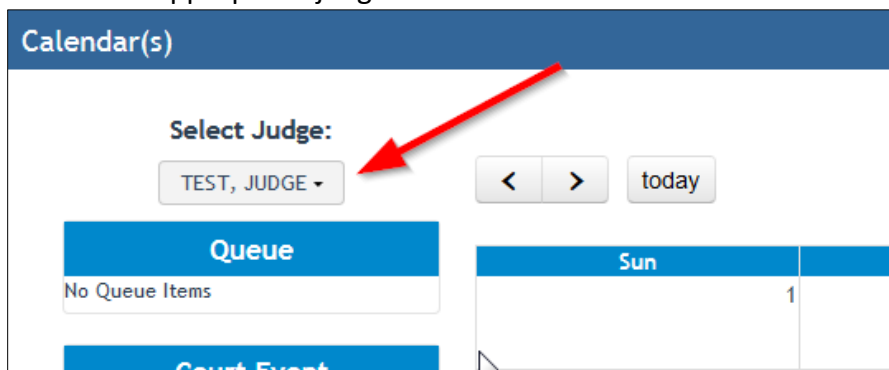
Event Date	Event Time	Event Type	Scheduled	Available
1/16/17	8:30 am	Hearing	0	1
1/16/17	8:45 am	Hearing	0	1
1/16/17	9:00 am	Hearing	0	1
1/16/17	9:15 am	Hearing	0	1
1/16/17	9:30 am	Hearing	0	1
1/16/17	9:45 am	Hearing	0	1
1/16/17	10:00 am	Hearing	0	1
1/16/17	10:15 am	Hearing	0	1
1/16/17	10:30 am	Hearing	0	1
1/16/17	10:45 am	Hearing	0	1
1/16/17	11:00 am	Hearing	0	1
1/16/17	11:15 am	Hearing	0	1
1/16/17	11:30 am	Hearing	0	1
1/16/17	11:45 am	Hearing	0	1
1/30/17	8:30 am	Hearing	0	1
1/30/17	8:45 am	Hearing	0	1
1/30/17	9:00 am	Hearing	0	1
1/30/17	9:15 am	Hearing	0	1
1/30/17	9:30 am	Hearing	0	1
1/30/17	9:45 am	Hearing	0	1
1/30/17	10:00 am	Hearing	0	1
1/30/17	10:15 am	Hearing	0	1
1/30/17	10:30 am	Hearing	0	1
1/30/17	10:45 am	Hearing	0	1
1/30/17	11:00 am	Hearing	0	1
1/30/17	11:15 am	Hearing	0	1
1/30/17	11:30 am	Hearing	0	1
1/30/17	11:45 am	Hearing	0	1

7. Discuss available dates with all parties and decide on a mutually acceptable date and time before scheduling the hearing.

8. To schedule the selected hearing time, select **Calendar** from the Navigation Bar on the left.

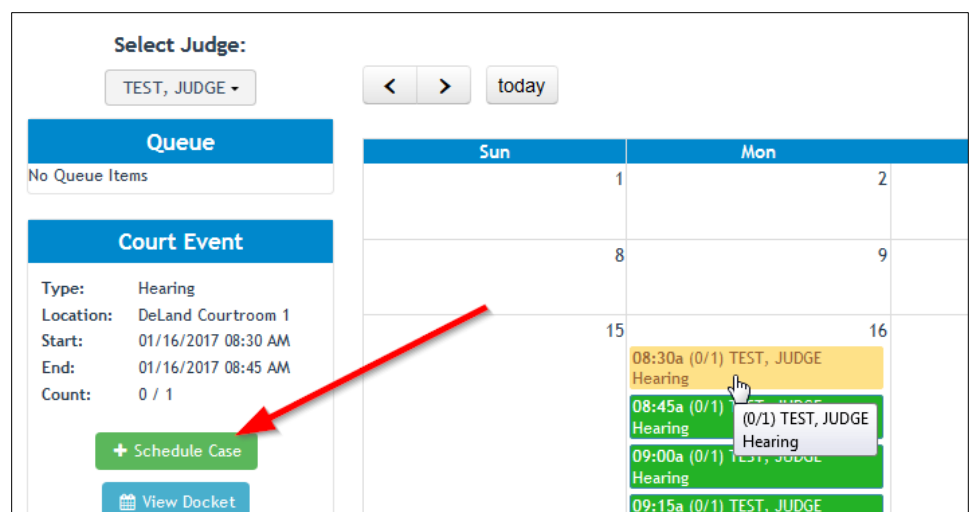


9. The **Calendar** will be displayed on the right of the screen. Click the **Select Judge** drop down menu and choose the appropriate judge.

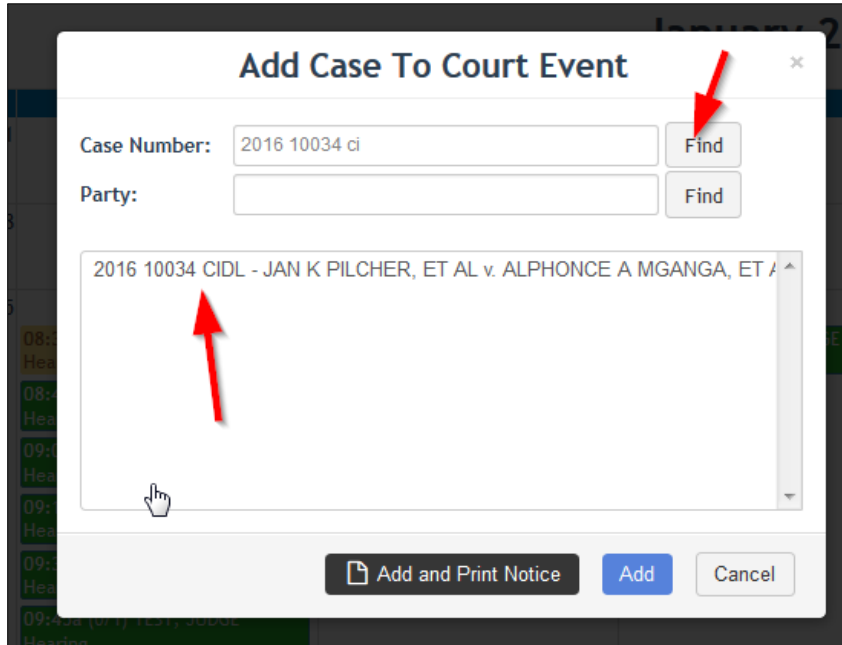


10. Go to the date found on the Available Hearing Time report that was agreeable to all parties.

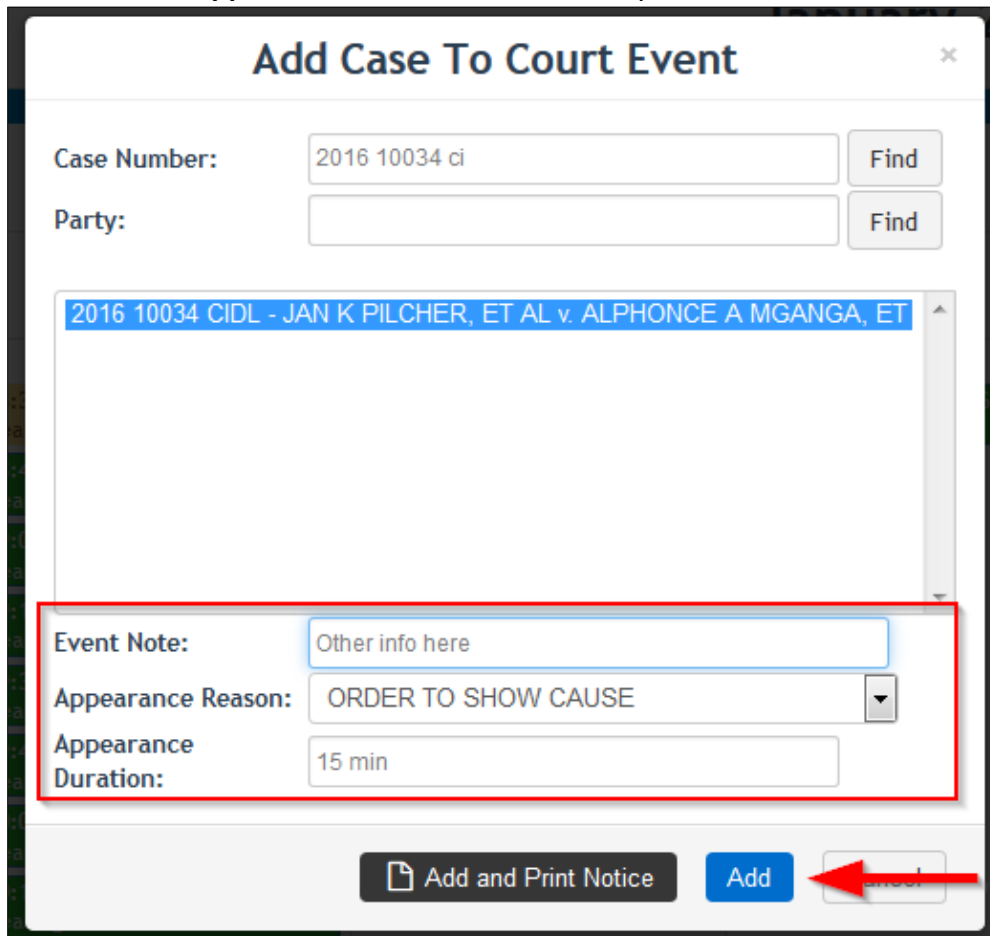
11. When you have found an open block, click to select and the Court Event box will appear on the left. Click the **Schedule Case** button to schedule your hearing. If the **Schedule Case** button does not appear, **it is not available for online scheduling and you must contact the judicial assistant.**



12. 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.



13. Click the case to select. **You are required to enter an Appearance Reason.** You may also enter the time needed in the **Appearance Duration** field and any other information under **Event Notes**.



14. When complete, click the **Add** to add to the docket.

NOTE: The **Add and Print Notice** option is not available to attorneys.

15. If more time is needed than provided in the block, the case will need to be scheduled for multiple blocks consecutively (two 15 minute blocks for 30 minutes, etc.) Schedule hearings sequentially with no gaps between hearings.

16. When a hearing is successfully scheduled, you will see a green prompt at the bottom of the screen.



17. To verify the hearing is scheduled, click the event again. The case will be listed under the **Court Event** section. The case will also appear on the **Court Docket** screen.



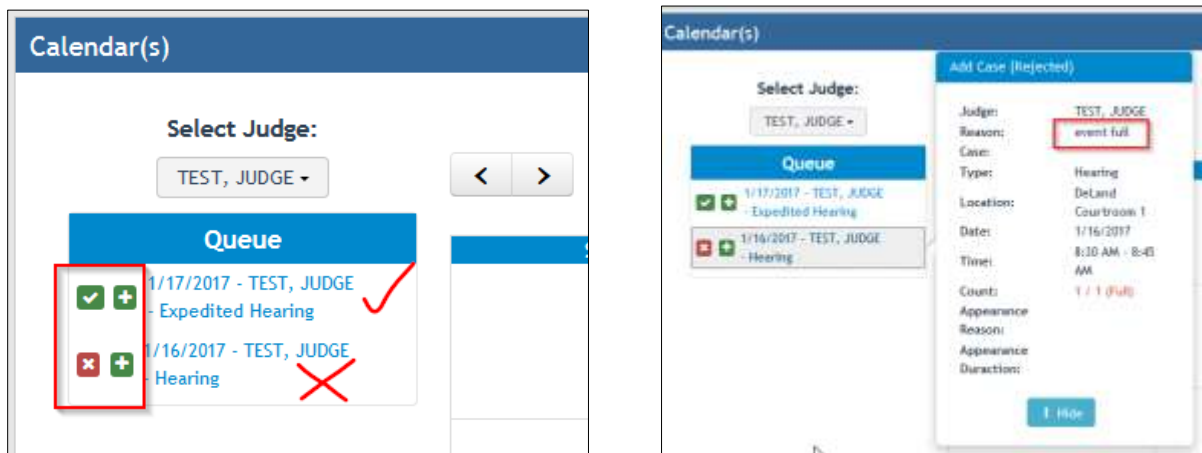
18. If you receive the yellow prompt, your case was added to a queue for approval.



19. Your queued cases will appear on the top left of the **Calendar** screen in your **Queue**.



20. When your queued cases are accepted or rejected, they will also appear in the **Queue**. Accepted cases will have a green check. Rejected will have a red X. Rejected cases may include a reject reason.



21. If there are questions about the status of a queued hearing request, please contact the judicial assistant.

For more information, review the [Judge's web page](#) and the [Benchmark FAQ](#) page.