

# MEMORANDUM

**TO:** All Litigants/Counsel  
**FROM:** Judge Angela A. Dempsey, Div. 71 Civil Division, Volusia County Court  
**RE:** Evidentiary Hearings and Trials  
**DATE:** August 25, 2020

Pursuant to the Supreme Court of Florida's Order No. AOS20-23, and all amendments thereto, as well as most recent administrative orders from the Seventh Judicial Circuit, Chief Judge Raul Zambrano, County Civil divisions have not been authorized to conduct in-person hearings at this time.

Until further notice, evidentiary hearings and bench trials will be held via Zoom videoconferencing only. Notices for these hearings will have instructions on attendance. Introduction of exhibits has proven to be an issue, prompting the Court to issue this directive to clarify how litigants can have their exhibits considered by the Court.

**\*\*PLEASE READ CAREFULLY\*\***

## **Appearance by video is required.**

- If you or your witnesses are unable to appear by video, no later than 5 business days prior to the scheduled trial date, you must file a written notice with the court advising the Court of the reason you are unable to appear by video and request to appear by telephone only.
- If you wish to have a record of the court proceeding, it is your responsibility to arrange for the presence of a court reporter.

## **Witnesses/Testimony:**

- It is the responsibility of each party to ensure their witnesses are able to appear by video and to provide them with the Meeting ID/Teleconferencing numbers.

## **Exhibits: (E-filing exhibits is for non-traffic cases only-see below for TRAFFIC)**

- If you have exhibits (documents, photographs, etc.) that you intend for the Court to consider at trial, you must e-file those exhibits at least 5 business days prior to trial or evidentiary hearing using the Florida Courts E-Filing Portal at <http://www.myflcourtaccess.com>.
- All exhibits should be copied to the opposing party, either electronically via the E-Portal or by mail or hand delivery, unless you will be presenting them via screen share on Zoom. Videos must be submitted to the Clerk in person on a DVD, not a flash drive or other media storage device, *to be held by the Clerk for appeal purposes only*. **Videos submitted will not be displayed by the Court. If either party wishes to display a video, that party must utilize the screen share feature via Zoom.**
- **TRAFFIC CASES ONLY:** If you have exhibits (documents, photographs, etc.) that you intend for the Court to consider at trial, you must provide those items to the Clerk of the Court in person. Photos should be in color and printed. All exhibits should be copied to the opposing party, unless they will be displayed via Zoom Screen Share. Videos must be on a DVD, not a flash drive or other media storage device *to be held by the Clerk for appeal purposes only*. **Videos submitted will not be displayed by the Court. If either party wishes to display a video, that party must utilize the screen share feature via Zoom.**

## **Questions:**

- Questions on these procedures may be directed to the Judge's Assistant at 386-822-5008. Neither the Court or the Clerk can give any party legal advice or direct a party on how to present their case. You may contact a lawyer for assistance with legal questions.