

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 mgermany@circuit7.org. The subject line should contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested.) Emails are answered in the order they are received and/or by urgency of the matter. Please allow at least 48 business hours for a reply, unless you receive an “out of office” reply.
- **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.” Communication deemed to be an ex parte will not be considered by the court.

- **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 with the Clerk of Courts office any time there is a change in the e-mail account registered for electronic service.
- **Response to Inquiries:** The judicial assistant is not authorized to provide legal advice to any party. Any correspondence or communication deemed to be a request for legal advice will not be receive a response.
- **Other Communication Procedures:** Any e-mail sent to or from the judicial office *may* be a public record subject to disclosure.

B. Scheduling Procedures

- **Scheduling Hearings:** Hearings request must be submitted by e-mail to the judicial assistant at mgermany@circuit7.org with opposing counsel or opposing party (if unrepresented) copied on the request. The request should include the following: a. Case Name & Assigned Case Number; b. Requested Motion(s) to be Set; c. Total Amount of Hearing Time Requested. The Judicial Assistant will reply all with the court’s current availability for the parties to coordinate their calendars in a separate email chain. Once the parties have agreed upon the hearing date, the requestor shall reply all to email with the provided court dates and advise which date and time the parties have agreed upon.
- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time. If approved by the court order, a notice of hearing involving any remote appearance must list the judicial Zoom credentials. All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.”
- **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance should

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).” A proposed order in Word format should be submitted to the division email address.

- **Cancelling Hearings:** You must cancel hearings by notifying the judicial assistant immediately by email. 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:** All Division 58 hearings (excluding family law case management conferences and pretrials) are set for in-person appearances. A party requesting to appear for a court proceeding via zoom will need to file a motion with good cause, include opposing parties’ position, submit a proposed order in Word format to division58@circuit7.org and receive a signed order granting permission to do so before the time of the scheduled hearing.
- **Platform Used:** The court uses Zoom for remote appearances, when it has been permitted.
- **Platform Meeting ID#:** A Zoom Meeting ID and Password will be provided by the Court on the Order Permitting Zoom Appearance.

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in Word format unless containing it is a consent order with signatures of the parties. All proposed order email submissions should advise if all parties agree to the proposed order or containing a statement identifying any disagreement of the parties as to the proposed order.”
- **Submission Method:** Email to: division58@circuit7.org
- **Deadline for Submissions:** Unless otherwise advised by the Court, Proposed orders must be submitted no later than 10 days after any hearing.

- **[Other Procedures Relating to Submission of Orders and Judgments]:** Proposed Orders should be submitted to opposing party for review and agreement prior to being submitted to the Court.

E. Emergency and Other Urgent Matters

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed verified motion setting forth the following must be filed within the court case. Once filed, the court will review the motion and issue an Emergency Motion Handling Order.
- **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.
- **[Other Procedures Relating to Emergency and Other Urgent Matters]:** If the Ex Parte Emergency Motion is Granted, a proposed order shall be submitted to division58@circuit7.org.

F. Exhibits for Evidentiary Hearings

- **Format:** Exhibits must be provided to the clerk of court in paper format. 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.
- **Deadline for Submissions:** All exhibits should be provided to opposing party three days before the evidentiary proceeding. The Court should be provided their copy at the time the exhibit is being introduced unless otherwise instructed by the Court.
- **[Other Procedures Relating to Exhibits for Evidentiary Proceedings]:** If the hearing is being conducted via Zoom by court order, the parties are still required to provide the Clerk with a hard copy of any exhibits/evidence being introduced prior to the time of the hearing.

G. Pretrial Procedures and Conferences

- **Case Management Conference:** New Case filing Case Management Conferences (CMC) will be set and noticed by the Family Law Case Manager. Division 58 Case Management Conferences are conducted via Zoom.

- **Requirements:** Unless excused by the court in advance, all CMCs are mandatory for attorneys, their clients and self-represented litigants.
- **[Other Procedures Relating to Pretrial Procedures and Conferences]:** Parties are permitted to appear in person if they choose not to utilize Zoom.

H. Setting Case for Trial

- **Procedure:** The Court will review a case's readiness for trial at the Case Management Conference. If the court determines the matter is ready to be set for trial, a date certain will be coordinated and set by the Court.
- **[Other Procedures for Setting Case for Trial]:** The Court will prepare the Trial Order which will include deadlines and instructions for the submission of trial exhibits.

I. Other Division Procedures

- **ADA Accommodations:**
If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance.
Please contact Court Administration, 101 N. Alabama Ave., Ste. B-206, DeLand, FL 32724, (386) 257-6096, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the appearance is less than 7 days; if you are hearing or voice impaired, call 711.
- **Interpreter Requests:**
Spoken Language Court Interpreters
The Seventh Judicial Circuit provides spoken language court interpreters to limited-English-proficient persons in accordance with Title VI of the Civil Rights Act of 1964, section 90.606, Florida Statutes, and Rule 2.560, Florida Rules of Judicial Administration.

Qualified spoken language court interpreters will be appointed where a fundamental interest is at stake and the inability of individuals to understand or express themselves in English may prevent full and necessary participation in court proceedings. Such cases include, but are not limited to, circuit and county criminal, juvenile delinquency and dependency, paternity, domestic violence injunction, mental health and incapacity proceedings, and any other matters in which the court determines that an interpreter is necessary.

Qualified spoken language court interpreters will also be appointed for limited-English-proficient witnesses in any proceeding and for limited-English-proficient victims in any circuit or county criminal or juvenile delinquency proceeding.

Requests for spoken language court interpreters must be received at least 7 days in advance of the scheduled proceeding. In the case of certain languages of lesser diffusion or unscheduled interpreting, more time may be necessary to arrange for a qualified interpreter, and a remote interpreting service may be used.

For more information email interpreter@circuit7.org or call 386-626-6566

Sign Language Interpreters

The Seventh Judicial Circuit provides interpreter services and reasonable accommodations for deaf persons in all cases in accordance with section 90.6063, Florida Statutes, and the Americans with Disabilities Act (ADA).

If you need a sign language interpreter or accommodation, you are entitled to one at no cost to you. Requests for sign language interpreters should be made at least 7 days prior to the scheduled event when possible. To request a sign language interpreter or ADA Accommodation, please contact Court Administration at:

Volusia County Courthouse
101 N. Alabama Ave., Ste. B-206
DeLand, FL 32724
Phone: (386) 257-6096
Email: SignLanguageRequests@circuit7.org