

Division 05 – PROCEDURES

Judge David S. Wainer, III

**Volusia County Courthouse
101 N. Alabama Avenue, CR 2B
Deland, FL 32724**

Judicial Assistant – Susan Price (sprice@circuit7.org)

**ALL PROPOSED ORDERS MUST BE SUBMITTED IN WORD FORMAT TO
SPRICE@CIRCUIT7.ORG**

**AND MUST INCLUDE REPRESENTATION REGARDING WHETHER IT IS AGREED TO BY
ALL PARTIES**

1. **MOTIONS:** must be e-filed with the Clerk before a hearing will be scheduled. STATE IN YOUR MOTION THE POSITION OF OPPOSING COUNSEL – WHETHER OR NOT THEY **OBJECT** TO THE MOTION.
2. **ALL HEARINGS:** **Must** be coordinated with opposing counsel. For your convenience, you may e-mail the Judicial Assistant for a possible date and time. (We do NOT use internet calendaring)
3. **NOTICE OF HEARING:** Location must be in the Notice of Hearing (courtroom number 2B); name of the motion you are calling up for hearing. A courtesy copy of the Notice of Hearing shall be sent to the J.A. via e-mail.
4. **APPEARING VIRTUALLY/REMOTELY:** Any party, attorney, or attendee can attend a hearing via zoom by using our zoom number – 386-257-6072.
5. **STIPULATIONS:** Stipulated agreements will be considered by the Judge and the proposed orders are to be sent to the J.A. via e-mail in Word Format.
6. **CONTINUANCES:** Unless you have an Order continuing your case, your case is still on the docket.
7. **WITHDRAW/SUBSTITUTION OF ATTORNEY:** Must meet the requirements under the Florida Rules of Judicial Administration - Rule 2.505.

8. **HEARING MATERIALS:** If you want the Court to review or consider any case law or other materials not already mandated by rule or statute, those materials must be provided to the Court and opposing counsel not less than three business days prior to the hearing.