

Division 37 – PROCEDURES

Judge David S. Wainer, III

**Steven C. Henderson Judicial Center
125 E. Orange Avenue, CR 1
Daytona Beach, FL 32114**

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:** The parties requesting a hearing must prepare and file a notice of hearing. The notice must include the case number, name of the motion and the time and location of the hearing. A courtesy copy of the Notice of Hearing shall be sent to the Judicial Assistant via e-mail.
4. **APPEARING VIRTUALLY/REMOTELY:** If a hearing is noticed for in-person, a party, attorney, or attendee can file a motion to be allowed to attend via zoom. The motion to appear electronically must be heard and an order granting it entered PRIOR to the date of the underlying hearing.
5. **STIPULATIONS:** Stipulated agreements will be considered by the Judge and the proposed orders are to be sent to the Judicial Assistant 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:** A motion to withdraw or substitute counsel must meet the requirements of 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.