

DIVISION 67 PROCEDURES

The following procedures apply to all civil and criminal cases pending in Division 67. These procedures are designed to assist the parties in having their cases handled as efficiently as possible. If you have questions regarding the requirements set forth herein, please contact the Judicial Assistant for the division at phillis@circuit7.org or (904) 827-5652.

Appearances

- In-person appearance is required for all criminal court proceedings, with the exception of the weekly “Rocket Docket”.
- Appearances for civil court proceedings may be in-person or by Zoom, unless specified otherwise by the Court. Both appearance options should be indicated on the Notice of Hearing.

Criminal Rocket Docket

- If you have a criminal case that has reached a resolution, you have waived your client’s appearance, and you have a signed and filed plea and waiver, then you may request to be added to the docket by sending an email to felony@stjohnsclerk.com. Requests must be made at least 24 hours in advance of the requested Rocket Docket date, as well as at least 24 hours in advance of the docket on which the case is currently scheduled.
- The Rocket Docket will be held weekly at 3:30pm (typically on Tuesdays). Zoom appearance is permitted but is not required. Any case with the appropriate plea and waiver may be sentenced on the Rocket Docket, regardless of the assigned Judge.

Setting Hearings

- You may obtain hearing dates and times by contacting the Judicial Assistant via email.
- When sending an email to request a hearing date, please copy all parties.
- If email communication is not accessible for a party, you may call to request a hearing date and time, but you must conference in opposing counsel or the opposing party if unrepresented.
- Motions and responses, including any legal memoranda on issues to be presented at a hearing, should be filed and docketed prior to requesting hearing dates.
- Once a hearing date is chosen by the parties and confirmed by the Judicial Assistant, the requesting party shall promptly file a Notice of Hearing, with a courtesy copy emailed to the Judicial Assistant. The Notice shall include the date and time of the hearing, the complete title of the motion(s) to be heard, the amount of time reserved, and the location of the hearing.

- You may not notice additional matters for hearing at the time reserved by another party unless the other party has consented to the addition and the additional matters are confirmed with the Judicial Assistant to ensure that enough hearing time is available. Hearings set without complying with these procedures will be cancelled.
- You must ensure that enough time is reserved to allow for arguments by all parties. All parties will receive equal time during hearings. Hearings scheduled with insufficient time to hear all parties' arguments will be cancelled and continued until sufficient time is available.
- Emergency hearings must be requested in writing, setting forth the reasons why the matter is considered an emergency. The request must be delivered to the Judge's chambers. Matters referred to as an emergency that do not constitute a true emergency, will be summarily denied. Generally, emergencies exist where persons or property face the threat of imminent harm without court intervention.

Cancellation of Hearings

- A hearing may only be cancelled by the scheduling party.
- To cancel a hearing, a Notice of Cancellation must be filed with the Clerk of Court, with a courtesy copy immediately provided to the Judicial Assistant via email prior to the hearing date.
- A hearing or trial set by the Court may only be cancelled by the Court. If you wish to cancel a hearing or trial that was set by the Court, please email the Judicial Assistant with your request and copy opposing counsel on the email.

Continuances for Criminal Court

- Continuances for all criminal court must be requested by filing a proper and timely motion.
- Continuance forms are available for convenience upon request.

Proposed Orders

- Except in the case of an order granting default final judgment against a defendant, proposed orders following a hearing at which the Court announced a ruling and directed a party to submit a proposed order reflecting that ruling must be presented to opposing counsel prior to submission to the Court. The email to the Court with the attached proposed order must indicate whether the proposed order has been shown to opposing counsel for review and whether opposing counsel agrees to its content.
- Proposed orders following a hearing at which the Court did not announce a ruling shall only be submitted if the Court requested the parties to do so.

- If there is counsel for all parties, proposed orders should be emailed to the Judicial Assistant in Word format with the subject line including “Proposed Order”, with opposing counsel copied on the email.
- If counsel has a civil case with a pro-se opposing party who does not have a functional or accessible email address, the proposed order should be mailed to the Judge’s office, along with self-addressed stamped envelopes included for the *pro se* party. If the *pro se* party does have a functioning or accessible email address, counsel should submit the proposed order in Word format, with the opposing *pro se* party copied on the email.
- Copies of filed motions and other documents are not required to be mailed in with the proposed orders. Multiple copies of the proposed order should not be sent.
- Please make sure all submitted proposed orders have a service list indicated, to include email addresses for all counsel and mailing addresses for *pro se* parties.

Agreed Orders for consented matters which do not need a hearing should be sent to the Judicial Assistant via email with opposing counsel copied on the email. The motion and order must specify that the relief sought has been agreed to by all parties.

Motions to Withdraw as Counsel do not need to be set for hearing if there is a signed consent from the client filed with the Motion. If client consent is not obtained, the matter must be set for a hearing. Any pending cases previously set for hearing shall be continued if the hearing on the Motion to Withdraw cannot be scheduled prior to those set hearing dates. If opposing counsel does not object to the withdrawal, they do not have to attend the hearing. Similarly, motions to substitute counsel must contain the client’s written consent and otherwise comply with Fla. R. Gen. Parc. & Jud. Adm. 2.505.

Unsolicited Communications of any type should not be sent to the Court. All communications must be copied to opposing parties. The Judicial Assistant is not permitted to relay to the Court the contents of any emails, letters or telephone conversations which may be considered improper ex-parte communication.