

Division 67
Judicial Practices and Procedures
(last modified October 28, 2025)

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A. Communications with the Judicial Office

- **Method of Communication:** Direct communications with the judge are not allowed. All communications to the judicial office must be made to the Judicial Assistant Carolyn Ryan by phone to 904-827-5652 or by e-mail to cryan@circuit7.org. The subject line of emails should contain the case number, case name, and relevant matter (e.g., 2025 102800 COCI – Smith v. Jones – copy of case law for hearing). Emails are preferred the preferred method of communication.
- **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.

- **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. Any unsolicited communication may be returned to sender or placed in the court file.
- **Response to Inquiries:** The Court's Judicial Assistant is not authorized to provide legal advice. If the Court's Judicial Assistant is out of the office, you will receive an automated response to your email directing you how to proceed in her absence. Responses to e-mails will be given in the order in which the e-mails are received.

B. Scheduling Procedures

- **Determine Whether a Hearing Is Needed:** Parties should, whenever possible, contact the opposing party before filing or upon receiving a motion to determine if the matter can be resolved in whole or in part. This may alleviate the need for filing the motion or allow submission of an agreed order in lieu of a hearing.
- **Scheduling Hearings:**
 - Motion for Summary Judgment (MSJ) or Motion for Summary Disposition (MSD) hearings that are needed for credit card cases and require no more than 15 minutes can be scheduled on the Court's MSJ/MSD docket. To reserve a hearing on such docket, parties should email the judicial assistant for hearing time.
 - All other hearings need to be coordinated among all counsel and scheduled through the Benchmark internet scheduling system. Instructions for using Benchmark can be found on the Judge's webpage at www.circuit7.org. Hearings may not be scheduled on the Court's calendar less than 10 days before the scheduled hearing date without the Court's consent.
 - No hearing shall be scheduled on motions that have not yet been filed. Hearings scheduled on unfiled motions will be stricken. A Notice of Hearing must be filed **immediately** upon securing hearing time.
 - ***No hearing may be scheduled for longer than one hour on***

Benchmark. Any hearing requiring more than one hour may only be scheduled through the judicial assistant. If a hearing is scheduled for more than one hour without prior authorization from the Court, the hearing will be stricken.

- Multiple motions in the same case may not be scheduled at non-sequential times throughout the same day.
 - Counsel must assure 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 stricken and continued until sufficient time is available.
 - Other parties in a case are not permitted to notice a hearing on a different motion at the same time as the scheduled hearing without the consent of the party that reserved the time. Hearings set in such a manner will be stricken
 - Parties having difficulty securing available hearing time are urged to frequently check Benchmark for available hearing time, since the Court's hearing schedule is frequently changing due to hearing cancellations.
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- **Unilaterally Scheduling Hearings:** Before scheduling any hearing, the party requesting the hearing time shall make good faith reasonable efforts to coordinate the date and time of the hearing with all opposing parties. If, after making good faith reasonable efforts, the party is unable to coordinate a mutually agreeable date and time, a party may then unilaterally schedule the hearing. The notice of hearing shall indicate that it is unilaterally scheduled, and the party (or counsel) must certify in writing that they have made good faith, reasonable efforts to coordinate the scheduling of the hearing with the opposing parties.
 - **Notice of Hearing:** A notice of hearing must be filed and served by the party scheduling the hearing *immediately* after reserving hearing time. A notice of hearing must include the following minimum information: the case style including case number; the date, time, and location of the hearing; the matter(s) to be heard including docket number or filing date of each motion; the judge presiding over the hearing; and the amount of time reserved for the hearing. A notice of hearing involving any remote appearance must list the Zoom meeting information. All notices of hearing must contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.
 - **Materials Submission Deadlines:** The Court will review motions set for hearing before the hearing. The Court welcomes the filing of additional memoranda of law or copies of legal authority (statutes, regulations, case law) the parties desire for the Court to review at least three (3) business days before the hearing. A copy must be sent to all opposing parties

simultaneously.

- **Order of Proceedings:** Matters will generally be heard in the order they appear on the docket.
- **Continuance Procedure:** Continuances are disfavored and will be granted only upon a showing of good cause.
- **Cancelling Hearings:** Hearings noticed by the Court may only be cancelled by the Court. Hearings noticed by one or more parties may only be cancelled by the Court, the scheduling party, or by agreement of all parties involved in the hearing. You must cancel hearings by notifying the Judicial Assistant immediately by email and phone at 904-827-5652. You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant. Further, no hearing may be cancelled fewer than two (2) business days before the hearing, unless the case has settled in its entirety or an agreed order on the motion is submitted to the Court fully resolving the matters to be heard.
- **Summary Judgment and Summary Disposition Hearings:** Summary judgment hearings in civil cases must be timely scheduled pursuant to Rule 1.510 and the Case Management Order. Summary disposition hearings in small claims cases must be scheduled for the same time as trial or sufficiently in advance of trial to cancel trial if the motion is granted.

C. Remote Appearance

- **Remote Appearance Procedure:**

All hearings regardless of the number of matters to be heard, scheduled for one hour or longer or that are evidentiary must be attended in person. Non-evidentiary hearings scheduled for less than one hour may be attended in person or through audio-video communication technology, as defined in Rule 2.530(a)(2), Fla. R. Gen. Prac. & Jud. Admin. Parties and/or counsel planning to attend a hearing via audio-video communication technology must file at least 24-hours prior to the hearing a notice of their intention to do so.

- **Platform Used:** The court uses Zoom for remote appearances.
- **Platform Meeting ID#:** Meeting ID#: 889 439 4065
- **Requirements:** Persons appearing by zoom must have audio capabilities and are requested to have video capabilities. Please attempt to have your

Zoom settings show your name. All participants shall be in appropriate attire and in an appropriate location. Zoom court is still court.

D. Submission of Orders and Judgments

- **Format:** Proposed orders should be submitted in Microsoft Word format using the Court's division email address: division67@circuit7.org. PDF orders will not be accepted. The Division 67 email is solely for the purpose of submitting proposed orders. Do not submit other pleadings or requests via this division email address.
- **Agreed Orders:** If the proposed order is agreed, the email should indicate agreement and the title of the order should be "Agreed Order..." or "Unopposed Order..."
- **Ex-Parte Orders Compelling Discovery:** If you are sending in a proposed ex-parte order compelling the production of discovery, you must comply with Administrative Order CV-2022-004-SC which requires written notice to the opposing party giving 10 days to provide discovery and attaching that notice to the motion to compel.
- **Status of Proposed Orders:** If you have submitted a proposed order and it has not been entered within a reasonable time, you may inquire regarding the status by emailing Judicial Assistant, Carolyn Ryan. Please do not submit the same order multiple times.
- **Deadline for Submissions:** Proposed orders must be submitted within 10 days after any hearing, unless otherwise instructed by the Court.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law are never required but may be submitted to the Court for any proceeding.
- **Format:** Electronic submission in PDF format to the Judicial Assistant is the preferred method.
- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than three (3) business days before any evidentiary proceeding.

F. Emergency and Other Urgent Matters

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the following must be

filed: (1) the issues to be resolved, (2) the reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.

- **Scheduling:** After filing the emergency motion, a party should contact the Judicial Assistant to schedule a hearing by emailing a copy of a Motion. If the court determines that an emergency exists, a hearing will be scheduled by the Court. All parties must make themselves available for the emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings

- **Format:** A document filed with the Clerk of Court is not an exhibit. The Court must accept your exhibits at a trial or hearing. Original exhibits should be pre-marked before the hearing with the Clerk of Court.
- **Submission Method:** The Court will keep the original exhibits entered into evidence at trials and hearings. If you are not otherwise required to provide your evidence to the opposing party before the hearing, please bring two (2) additional copies, one for you to keep, and one to give to the opposing party. Parties are encouraged to pre-mark original exhibits by labelling them with an "A," "B," etc. prior to any trials or hearings.
- **Electronic Exhibits:** The Court will not accept texts, photos, or videos that are only available on a cell phone, tablet, or laptop. You must print off copies of texts or photos. You must save videos to a flash drive. It is recommended that you bring a laptop to the trial or hearing with you to help display videos on the flash drive, and then leave the flash drive with the Clerk of Court.

H. Setting Case for Trial

- **Procedure:** File a notice for trial to set the case for trial.
- **Notice Period:** Trials will be set for docket call and a trial week by the Court. The trial date will be determined at docket call. Jury selection occurs on the first day of the trial week, and the trial will occur on a date(s) the same week to be determined by the Court, depending on the number of cases to be tried that week. The Court may assign back-up cases. Attorneys, self-represented litigants, parties, and witnesses are expected to be available during the entire trial period. Parties should advise the Court of any scheduling conflicts at the docket sounding. All trial counsel and pro se parties must attend docket sounding, bringing with them their calendars and the availability of all important witnesses for the trial week.

I. Other Division Procedures

- **ADA Accommodations:** If you need an ADA accommodation, please contact Court Administration, 101 N. Alabama Ave., Ste. B-206, DeLand, FL 32724; 386-257-6096.