



DIVISION 70 **PROCEDURES AND GUIDELINES**

(Current as of 9/14/2022)

Remote Appearances (Appearing by Zoom)

All court proceedings in Division 70 are currently noticed to occur in person at the Volusia County Courthouse, 101 N. Alabama Avenue, Courtroom 3B, Deland, Florida. However, due to the current public health situation, the Court will permit anyone to appear remotely by Zoom for their in person court hearing. The Zoom Meeting ID is : **736 5948 386**. For assistance, you may contact the Court's Judicial Assistant, Leslie Pomar at (386) 736-5948. You must use a device that permits audio and visual appearance (camera) in order to attend by Zoom. *This does not apply to jury trials, which must still be attended in person by all parties, counsel, and witnesses, unless otherwise ordered by the Court.*

For most of the court dates in this division, people have the option of appearing either in person at the scheduled court date or via Zoom as explained above. All court dates are hybrid: in person and by Zoom. The Notice to Appear in person setting the court date and time includes an insert regarding the rules for appearing by Zoom. Individuals who appear by Zoom will be considered to have waived their right to appear in person. The Court will accept the waiver by calling the case and interacting with the person on Zoom, provided the rules regarding Zoom appearance are followed. Fla. R. Crim. P. 3.116; 3.180(b). The Court reserves the option to withdraw permission to appear by Zoom in individual cases and require an appearance in person.

Written Plea Forms

The use of written plea forms is only required by the Court when the sentence to be imposed includes probation.

Scheduling Hearings

All hearings must be scheduled with the Court's Judicial Assistant, Leslie Pomar, by email at Lmpomar@circuit7.org. Counsel and parties attempting to

schedule a hearing must make *reasonable* efforts to coordinate the hearing date and time with the other side. Failure to do so may result in the Court cancelling the hearing without further notice.

Docket Sounding

Docket sounding will be held the Friday immediately preceding the trial week scheduled for the case. The Court will not accept negotiated pleas after docket sounding absent extraordinary circumstances. All parties and their counsel are required to attend docket sounding, regardless of whether the announcement at Pretrial Conference was “Ready for Trial” or “Pass to Plea.”

Jury Trials

All parties and counsel for all cases scheduled for jury trials during a given trial week must appear on the first day of jury selection for a given trial week and must remain until excused by the Court. Counsel and parties are advised to be prepared to select a jury on any day of the assigned trial week.

Waiver of Appearance and Plea to Resolve the Criminal Case

If you have been charged with a crime in Volusia County, you may be able to resolve your case with a plea and waiver agreement without appearing in person. Contact your lawyer or the State Attorney’s Office for more information. If you cannot afford a lawyer, the Court can appoint a lawyer to represent you. You can apply for the services of the Public Defender by filling out an affidavit of indigency available at the Clerk of Court’s Office at the Courthouse, or online at <https://www.pd7.org/applications/>

State Attorney’s Office (386) 822-6400

Public Defender’s Office (386) 822-5770

****Please note** – you must still attend your scheduled court date even if you decide to pursue the plea and waiver option, unless you are excused by the Court. To be excused from your court date, you must file a request for more time in writing and file it with the Clerk of Court *before* your scheduled court appearance. If you fail to appear for your scheduled court date without being

excused by the Court, a warrant will likely be issued for your arrest. You may submit any requests for more time (a continuance) through the Clerk of Court.