

Division 81 Judicial Practices and Procedures
(last modified September 2026)

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Table of Contents:

A. Communications with the Judicial Office.....	1
B. Scheduling Procedures.....	2
C. Appearing in Court	2
D. Continuance Procedures.....	4
E. Waiver of Appearance and Plea to Resolve Criminal Case.....	4
F. Veteran’s Court.....	4

A. Communications with the Judicial Office:

- a. Email: The preferred method of communication is via email with the Court’s Judicial Assistant. All parties must be copied on any email directed to the judicial office. Any e-mail sent to or from the judicial office may be public record subject to disclosure. *DO NOT ATTEMPT TO SEND AN EMAIL TO THE JUDGE DIRECTLY*. Any emails sent to Judge Sanders directly may not be read or ruled upon.

Proposed orders should be emailed to division81@circuit7.org in an up-to-date WORD format. PDF orders will not be accepted. The Court will no longer accept “paper” orders, meaning orders sent through postal mail. All orders must be sent electronically. The division 81 email is solely for the purpose of submitting proposed orders. It does not allow for a reply and/or forward. Do not submit other pleadings or requests via this division email address.

- b. Telephone: Self-represented litigants and those excused from email service may communicate with the judicial office by telephone at 386-257-6033.
- c. Ex-Parte / Unsolicited Communication: Unsolicited letters, emails, or communications of any type should not be sent to the Court. The Court’s Judicial Assistant is not permitted to relate to the Court the contents of any conversations which would be considered improper *ex-parte* communication with the Court. Parties may only contact the judicial office in accordance with these procedures. Unsolicited communications from non-parties will not be considered by the court.

Note to unrepresented parties: If you have a request of the Court, e.g. a request to continue, appear remote, etc., then you must file such request as a motion with the Clerk of Court www.clerk.org and send a copy to all parties. Requests submitted on the day of court may not be received in time to be considered.

- d. Other Inquiries: The judicial office (Judge and Judicial Assistant) are not authorized to provide legal advice. Matters outside of the procedures set forth by the Court may be researched in the Volusia County Law Library, the Florida Bar website, the Florida Court's website, or you may consult with a Florida licensed attorney.

B. Scheduling Procedures:

- a. Motions: All motions must be filed with the Clerk of Court before a hearing will be scheduled, or an order submitted to the Judge for review. Please state in your motion the position of opposing party – whether they object or not to the motion.

Parties should, whenever possible, prior to filing or upon receiving a motion, contact the opposing party 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.

- b. Hearing Time: All hearings should be scheduled by email through the Judicial Assistant at cannunziata@circuit7.org. In your email, please include the case number, complete case style, how long is needed, and what motion(s) are being heard. The party scheduling the hearing will prepare the notice unless advised by the Judicial Assistant that the Court will prepare the Notice of Hearing. Reasonable efforts should be made to resolve the issue in question before setting the hearing, and reasonable attempts should be made to coordinate the date and time of the hearing with the opposing side.
- c. Case Law / Memoranda of Law / Written Submissions in Advance of Hearings: The Court welcomes the filing of memoranda of law supporting or opposing a motion or other matter to be heard. The Court must have these materials at least **three (3) business days** prior to the scheduled hearing. Any party who wishes the Court to consider a memorandum prior to the hearing on a motion shall submit it directly to the Judge's chambers (with a copy to all other counsel and unrepresented parties). A party who wishes the Court to consider voluminous case law at a hearing should submit copies of the cases in the same manner and within the same time frame. **Please do not submit this information electronically.**
- d. Proposed Orders: ***Proposed orders should be emailed to division81@circuit7.org in an up-to-date WORD format.*** PDF orders will not be accepted. The Court will no longer accept "paper" orders, meaning orders sent through postal mail. All orders must be sent electronically. The division 81 email is solely for the purpose of submitting proposed orders. It does not allow for a reply and/or forward. Do not submit other pleadings or requests via this division email address.

C. Appearing in Court:

- a. Courtroom Decorum: Parties and counsel should be respectful, professional and civil to the court, court staff, and each other at all times during court proceedings. Address objections and any remarks to the court, and not to opposing counsel/party. Avoid all disparaging personal remarks or acrimony toward opposing counsel. Refer to all persons by their surnames with the appropriate "Ms. or Mr., Dr.," etc. Do not direct lengthy substantive complaints or questions to the Court's Judicial Assistant. The Clerk and the Judicial Assistant cannot, should not, and will not give legal advice. If you have questions about how to proceed in your case, you should contact an attorney or research the rules of procedure for your type of case.

- b. Requests for Appointment of Interpreter: Request for a Court-appointed interpreter must be made through Court Interpreting Services. For more information see <https://circuit7.org/court-interpreting-services/>
- c. Requests for [ADA] Accommodations: See <https://circuit7.org/ada/>
- d. Defendants in Custody: Defendant's counsel is required to appear in person for Pretrial Conference when the Defendant is in custody, unless counsel has filed a Waiver of Defendant's Appearance and has communicated to the Judicial Assistant that Defendant does not need to be transported.
- e. Virtual Appearance by Zoom:
 - i. The Court does not generally allow Zoom appearances absent good cause and prior approval of the Court.
 - 1. Attorneys and Defendants must have the Court's approval to appear remote.
 - 2. If appearance via Zoom is requested, the Defendant must file a request in writing through the Clerk of Court indicating the reason for the request to appear remotely. The request shall include the case number, Defendant's address and phone number.
 - 3. Defendants may email the Clerk's Office with their request by visiting www.clerk.org, clicking on the "CONTACT" tab, then clicking on the "Contact Us Online" email envelope logo.
 - 4. Attorneys are permitted to appear remotely for **Pretrial Conference** without the need to file a motion. All other requests to appear remotely will require submission of a Motion and proposed Order. NOTE: Attorneys may attend Pretrial at the morning **or** afternoon docket on the scheduled court date without court approval. The Zoom ID for Pretrial is 3862576033 – there is no password.
 - 5. **Plea Hearings** - Defendant and Defendant's counsel shall appear **in person or together on Zoom**, so that Defendant and counsel have the ability to communicate with each other.
 - ii. Any person appearing remotely must:
 - 1. Be in a private location that is quiet and free from distractions. Under no circumstances will a participant be permitted to appear remotely from a moving vehicle.
 - 2. Dress and behave professionally in the same manner as if physically present in the courtroom.
 - 3. Enable the person's camera when joining the proceeding and keep the camera turned on until otherwise instructed by the Court.
 - 4. Mute the person's microphone when joining the proceeding and keep the microphone turned off until instructed otherwise by the Court.
 - iii. If a witness appears remotely, the party calling the witness must ensure the witness has a functioning camera and microphone and has tested the internet connection before the hearing.
- f. Written Plea Forms: All pleas to criminal charges and violations of probation require a fully executed PLEA AND WAIVER Form. Blank forms in English and Spanish are available on the Court's website.
- g. Evidentiary Hearings: These hearings are conducted IN PERSON.

h. Jury Trials:

IN PERSON APPEARANCE BY DEFENDANT AND DEFENDANT'S ATTORNEY IS REQUIRED FOR ALL DOCKET SOUNDING AND JURY TRIALS, UNLESS SPECIFICALLY EXCUSED BY THE COURT.

D. Continuance Procedures:

- a. Motions for Continuance of trials are disfavored and will be granted only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence is not grounds for granting a continuance. Except for good cause shown, the motion must be signed by the party requesting the continuance, as required by Florida Rule of General Practice and Judicial Administration 2.545 (e). Motion to continue shall be filed at least 2 business days ahead of the scheduled court date.

E. Waiver of Appearance and Plea to Resolve Criminal Case:

- a. 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.
- b. 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, or online at www.pd7.org/applications/

State Attorney's Office 386-239-7710

Public Defender's Office 386-239-7730

F. Veterans Court: Judge Sanders also presides over the Judge David B. Beck Veterans Court for the west side of Volusia County (Division 75) at the Volusia County Courthouse in DeLand. Veterans Court offers an avenue to resolve legal issues by addressing and treating the root cause of the alleged criminal behavior by a therapeutic approach using military and veterans benefits.

- a. Observing Veterans Court: Before being admitted into Veterans Court, a Veteran must first observe a Veterans Court proceeding. Defense counsel will then contact the Assistant State Attorney assigned to the case, and work on an agreement that is acceptable to the parties.
- b. Veterans Court Coordinator: For any questions about Veterans Court or to observe a Veterans Court proceeding, please contact our Veterans Court Coordinator David Colon at dcolon@circuit7.org or (386) 943-7077, Ext. 5.