

Judicial Practices and Procedures
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Contact Information

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A. Communications with the Judicial Office

- **Method of Communication:** All communications from attorneys to the judicial office must be submitted by e-mail to the Court's Judicial Assistant at jrichter@circuit7.org. Communications from pro se parties should be in writing and filed with the clerk's office, who will then forward them to the Court. The subject line in either must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested).
- **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. The Court will not review or consider any unauthorized ex parte communication from any party.
- **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.
- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an e-mail address to receive signed orders electronically, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516. It is the responsibility of attorneys and self-represented litigants to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service.
- **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

- **Court Schedule:** The Court uses a traditional court calendar cycle for each of its judicial assignments, which include small claims, county civil, traffic, drug court, truancy, delinquency, Marchman Act and Baker Act matters. The calendar cycle includes regular arraignments, pretrial conferences, plea dates, violation of probation hearings, docket soundings and trials. Hearings on other matters are scheduled as an as-needed basis upon request.
- **Scheduling Hearings:** Hearings requested by counsel must be submitted by e-mail to the Court Judicial Assistant at jrichter@circuit7.org. Hearings requested by pro se parties should be submitted in writing and filed with the clerk's office, who will then forward the request to the Court. The subject line of e-mail or written request must contain the case number, case name, and relevant matter (e.g., 2025 102800 CFDB – State v. Smith - 2-Hour Suppression Hearing Requested). All parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law. The Court may also schedule hearings without a request from either of the parties if, in its judgment, one is called for by the applicable statutes or rules.
- **Notice of Hearing:** A notice of hearing must be filed and served by the party scheduling the hearing immediately after reserving hearing time. A courtesy copy should be sent to jrichter@circuit7.org. 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. Hearing time is not reserved until the judicial assistant has received the proper filed notice of hearing.
- **Materials Submission Deadlines:** The Court will read any provided case law/memorandums in advance to prepare for a hearing. The Court must receive all materials for the hearing no later than three business days before the hearing. If there is a large amount of material you want the Court to review prior to the hearing, please consider the Court may need more than 3 business days to read it all and provide it accordingly.

- **Order of Proceedings:** Matters will generally be heard in the order they appear on the docket or in the order they are scheduled to occur. In its discretion, the Court may choose to hear matters in which the parties are appearing in person before those in which the parties are appearing by remote technology. Special consideration may also be given to matters in which parties are represented by attorneys.
- **Continuance Procedure:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five days prior to the scheduled date for trials and evidentiary hearings and three days for all other court dates. 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).
- **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. You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant.

C. Remote Appearance

- **Remote Appearance Procedure:** The Court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Parties appearing in traffic, drug court, truancy, delinquency, Marchman Act and Baker Act matter shall appear in person, but he or she may file a written motion requesting to appear by remote communication technology and stating good cause. Parties appearing in small claims and county civil matters may attend pretrial conferences via remote communications technology without leaving the court. However, they must appear in person for any evidentiary hearing or trial.
- **Platform Used:** The court uses Zoom for remote appearances.
- **Platform Meeting ID#:** Contact the judicial assistant at jrichter@circuit7.org to obtain the platform meeting ID#.
- **Requirements:** Parties appearing via Zoom must abide by the following guidelines. Failure to do so may result in being disconnected from the platform and being considered as a failure to appear.

- Be on time.
- Dress in appropriate courtroom attire.
- Make sure your first and last name clearly appears on the screen. No nicknames.
- Be sure you have a stable internet connection. Wi-Fi is preferable over a cellular connection because it has a better bandwidth to handle video transmissions. If you are sharing your internet with others, please ask them to limit high bandwidth with activities.
- Be sure to have a good microphone and webcam.
- Position your webcam so your face can be seen clearly.
- Locate your audio and video mute buttons and familiarize yourself with them.
- Keep your audio muted until your case is called. Don't forget to take yourself off mute when your case is called.
- Choose a quiet location without any visual or auditory distractions.
- If you use a cell phone, please keep it still or prop it up securely in front of you. Do not walk around while holding it.
- Don't multitask – stay focused on the proceedings so you can hear when your case is called. Do not engage in any activities that can be distracting to the Court and other parties.
- Children, animals and other people should not be in the room.
- No eating, smoking or noisily drinking.
- No driving.
- Speak clearly.
- Listen and do not talk over others.

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in Word format by email to the Court's Judicial Assistant at jrichter@circuit7.org. The email must indicate whether all parties agree as to the contents of the order.
- **Deadline for Submissions:** Proposed orders must be submitted within three days after any hearing.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law may be submitted to the court for any evidentiary proceeding.
- **Format:** PDF/a format or Word document is preferred, if submitted electronically.
- **Submission Method:** E-mail, U.S. mail, or hand delivery of courtesy copies is acceptable. If the submissions exceed 25 pages in total, paper copies must be submitted, and electronic copies are not permitted.

- **Deadline for Submissions:** Courtesy copies must be delivered to the court no later than three business days before any evidentiary proceeding.

F. Emergencies 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) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.
- **Scheduling:** For example: "If the court determines that an emergency exists, a hearing will be scheduled unilaterally by the court. All parties shall make themselves available for emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** All exhibits for evidentiary hearings or trial must be provided to the clerk in paper format in advance of the hearing or trial for marking. Trial exhibits must be submitted no later than three business days before the hearing or trial. Marked exhibits will be assigned a letter for identification and will receive a numerical designation if admitted as evidence.
- **Format:** Exhibits must be submitted to the clerk of court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the court, and each party to review during the hearing or trial. Exhibits must be labeled in the following format: "Petitioner/Plaintiff 1" or "Respondent/Defendant A."
- **Deadline for Submissions:** All exhibits must be received in chambers three days before the evidentiary proceeding.

H. Pretrial Procedures and Conferences

- **Case Management Conference:** Any party may request a case management conference (CMC) when a case requires. The court strongly encourages the early use of CMC in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC.

- **Status Conference:** Any party may request a status conference when a case requires.
- **Requirements:** Any request for a CMC or status conference must articulate the reasons for the necessity of the conference.
- **Scheduling:** If the court agrees that a CMC or status conference is required, the moving party may schedule the CMC or status conference through the online scheduling platform.

I. Setting Case for Trial

- **Procedure:** The Court will schedule cases for trial at the pretrial conference.
- **Notice Period:** The Court will generally set non-jury trials for a date certain, which may or may not fall during the Court's regular jury trial week. Jury trials will be scheduled during the week(s) set aside each month by the Administrative Judge. A date certain may be given at the pretrial conference if known. If not, then a date certain will be given no later than day of jury selection.
- **Motions:** Please note that motions filed within five (5) days of the trial date may not be considered if predicated on matters the movant knew or should have known with the exercise of reasonable diligence at least thirty (30) days prior to the trial date. Because of busy court calendars, hearing time may not be available to consider motions filed close to the deadline. The inability of a party to obtain hearing time will not constitute grounds for a continuance of the trial.
- **Motions to Exclude Expert Testimony:** Any challenge to the admissibility of evidence at trial based on a contention that anticipated expert testimony does not meet the requirements of §90.702, Florida Statutes, and seeking a court ruling in accordance with *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), must be raised by a motion in limine filed at least thirty (30) days before the trial date. Failure to meet this deadline shall be deemed a waiver, absent good cause.

J. Trial Procedures

- **Trial Objections:** Objections at trial shall only be made by the attorney examining or cross-examining the witness. Counsel shall stand when objecting and shall clearly and succinctly state only the legal basis for the objection. (e.g., hearsay, leading, etc.). No other statements shall be made. The proponent of the evidence that is the subject of the objection shall not respond to the objection unless directed to do so by the Court.

- **Stipulations:** Counsel shall not offer to stipulate to evidence in the presence of the jury, unless the parties have discussed the stipulation outside the presence of the jury and it has been agreed to by opposing counsel.
- **Digital Recording/Court Reporters:** Court proceedings related to county civil matters are generally not recorded. If a party desires to preserve the record for any civil proceedings, he or she must provide a court reporter. The court report must be physically present for all proceedings in which counsel and the parties are required to appear in person (trials and evidentiary hearings). For other matters in which digital recording is provided, counsel shall remain at the podium or near a court microphone unless the Court permits counsel to do otherwise to ensure the proceedings are properly recorded.
- **Trial continuances:** Motions to continue a trial shall be made in writing and filed five days prior to the scheduled trial date. The motion shall specify the grounds for the motion and whether opposing counsel consents to the continuance.
- **Jury instructions and verdict forms:** No later than the day before trial, the State or plaintiff shall electronically submit to the Court proposed jury instructions and verdict forms. Counsel shall confer prior to the charge conference and attempt to agree on the jury instructions and verdict forms. This paragraph shall not foreclose the right of each party to modify proposed instructions up to and including at the charge conference. If the defense desires to add jury instructions, it shall electronically submit to the Court only those instructions it seeks to add.
- **Exhibits:** Before trial, the attorneys shall schedule and meet with the Court's trial clerk and assist the clerk in marking all evidentiary exhibits for identification in the manner directed by the clerk. Exhibits will be identified by letter prior to admission into evidence. Upon being admitted into evidence, exhibits will receive a number assigned by the clerk.
- **Electronic presentation equipment:** Counsel intending to use the electronic presentation system in the courtroom, shall familiarize themselves with the system's functionality before trial. Counsel may schedule an appointment with the Court Administrator's office to become familiar with the system.

K. Forms

In criminal matters, the Court requires an executed Plea Form or Admission of Violation of Probation Form before it will accept a plea or admission.

L. Standards of Conduct

- **Minimum standards of conduct:** All counsel appearing in court must meet the minimum standards for attorneys set forth in Fla. R. Crim. P. 3.113. Defense counsel on capital cases must also meet the requirements in Fla. R. Crim. P. 33.112. Conduct that may be characterized as uncivil, abusive, hostile, or obstructive impedes the fundamental goal of resolving cases fairly and efficiently and will not be tolerated. Such conduct tends to delay and deny justice. Accordingly, in addition to the standards imposed on all attorneys by the Florida Rules of Professional Conduct, the following standards will apply to all attorneys and parties appearing before this Court:
 - (a) All attorneys, parties, and witnesses will be treated in a civil and courteous manner, not only in court, but at depositions and in all written, electronic and oral communications.
 - (b) No attorney or party will abuse or indulge in offensive conduct directed at other attorneys, parties or witnesses. Counsel and all parties shall abstain from disparaging personal remarks or acrimony towards other attorneys, parties or witnesses. Adverse witnesses and parties will be treated with fair consideration.
 - (c) Absent good cause, no attorney or party shall attribute bad motives or improper conduct to opposing counsel or any adverse party or bring the legal profession into disrepute by unfounded accusations of impropriety.
 - (d) All attorneys and parties shall make good faith efforts to resolve by agreement any discovery disputes.
 - (e) No attorney or unrepresented party shall time the filing or service of motions or filings in any way that unfairly limits the other party's opportunity to respond and will consult with each other regarding scheduling matters in a good faith effort to avoid scheduling conflicts.
 - (f) All attorneys and parties shall make all reasonable efforts to expedite this litigation.
 - (g) Counsel shall strictly abide by Rule 4-3.6 of the Florida Rules of Professional Conduct, regarding trial publicity.
 - (h) Before hearings are scheduled, or if that is not feasible, immediately thereafter, counsel and all unrepresented parties will attempt to verify the availability of necessary participants and witnesses so that the Court

can be notified of any foreseeable problems.

(i) Nothing in this Order supersedes or detracts from the Florida Rules of Professional Conduct or alters existing standards of conduct. Counsel and all parties shall comply with the Florida Bar's Guidelines for Professional Conduct and the Court Conduct Handbook on Gender Equality in the Courts.

M. Other Division Procedures

- **ADA Accommodations:** If you need an ADA accommodation, please contact Court Administration, 125 E. Orange Ave., Suite 300, Daytona Beach, FL 32114; (386) 257-6096.
- **Interpreter Requests:** If a spoken language court interpreter is needed for a hearing or trial, please [click here](#). For more information, please email interpreter@circuit7.org or call (386) 626-6566. If a sign language interpreter or accommodation is needed for a hearing or trial, please contact Court Administration at 125 E. Orange Ave., Suite 300, Daytona Beach, FL 32114; (386) 257-6096; SignLanguageRequests@circuit7.org.
- **Media inquiries:** Please refer all media inquiries to Court Administration using the following hyperlink [Media Guidelines](#).