

Judicial Practices and Procedures
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Table of Contents

A. Communications with the Judicial Office	1
B. Scheduling Procedures	2
C. Remote Appearance.....	3
D. Submission of Orders and Judgments	4
E. Courtesy Copies of Case Law and Other Documents	4
F. Emergency and Other Urgent Matters	5
G. Exhibits for Evidentiary Proceedings	5
H. Pretrial Procedures and Conferences	Error! Bookmark not defined.
I. Setting Case for Trial	6
J. Trial Procedures	6
K. Forms.....	7
L. Out of County Pleas	8
M. Standards of Conduct	8
N. Other Division Procedures.....	9

A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to the Court's Judicial Assistant at: tblaha@circuit7.org. The subject line must contain the case number, case name, and relevant matter (e.g., 2025 102800 CFDB – State v. Smith - 2-Hour Suppression 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.

- **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.
- **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 criminal court calendar cycle, which includes regular arraignments, pretrial conferences, plea dates, violation of probation hearing dates, docket soundings, and a monthly jury trial week(s). Other hearings are scheduled on an as needed basis upon request.
- **Scheduling Hearings:** Hearings must be requested by e-mail to the Court's Judicial Assistant at tblaha@circuit7.org. The subject line 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.
- **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 tblaha@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 be heard in the order they are scheduled to occur, or as otherwise determined by the Court. Parties represented by attorneys will generally be heard first. Matters in which the parties are appearing in person will generally be heard before matters in which the parties are appearing by remote technology.
- **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. 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. Requests to use communication technology for an appearance must be made by motion.
- **Platform Used:** The court uses Zoom for remote appearances.
- **Platform Meeting ID#:** Meeting ID#: 645-141-9103
- **Requirements:**
- **Other Remote Appearance Procedures:**
 - **IF USING THE ZOOM APP:**
 - o Go to the downloaded App
 - o Go to Join a Meeting
 - o The meeting ID is: **645-141-9103**

- o Type in your name to identify your phone number by name
 - o Click “join the meeting”
 - o Enable Video and Audio
 - o You should hear: “You are in the meeting”
- **IF USING A COMPUTER:**
 - o Go to <https://app.zoom.us/jc>
 - o Go to Join a Meeting
 - o The meeting ID is: **645-141-9103**
 - o Enable Video and Audio if not automatically enabled
 - o Type in your name to identify your phone number by name
 - o You should hear: “You are in the meeting”
- Wear proper courtroom attire. Make certain your device is on mute. Do not speak until your case is called.

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 division52@circuit7.org. The email must indicate whether all parties are in agreement as to the form 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. 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:** If the court determines that an emergency exists, a hearing will be scheduled unilaterally by the court. All parties must make themselves available for the 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.

H. Pretrial Procedures and Conferences

- **Appearances by counsel:** Defense counsel may appear on a case by filing a Notice of Appearance, unless the Defendant is already represented by other counsel on that case, in which case, counsel will need to move for substitution of counsel, with the client's written consent, as provided in Fla. R. Jud. Admin. 2.505(e). Orders granting substitution of counsel shall be emailed to the Judicial Assistant at Division52@circuit7.org in MS Word format.
- **Waivers of appearance:** The Court will generally accept written waivers of a Defendant's appearance at pretrial proceedings unless specified by the Court. Waivers of appearance are not permitted for evidentiary hearings, docket sounding, trials, and violation of probation hearings. In cases that have been unreasonably prolonged as determined by the Court, the Court may require in person attendance at pretrials.
- **Scheduling Add on Cases:** To ensure that the Clerk has adequate time to prepare all needed paperwork, requests to add a Defendant's other pending cases to a particular docket along with an unrelated case must be made before noon the day preceding the court requested date. Otherwise, Counsel can motion to have all cases docketed together on a later court

date.

I. Setting Case for Trial

- **Procedure:** The Court will schedule cases for trial at the pretrial conference.
- **Notice Period:** After Docket Sounding, the Court will assign cases to specific days during the trial period and may assign back-up cases. A final docket sounding will occur the week before the scheduled trial week(s). Attorneys, parties, and witnesses are expected to be available during the entire trial period.
- **Other Procedures for Setting Case for Trial:** Transport orders must be provided timely. Extraditions require at least 30 days to transport an incarcerated person from other facilities or jurisdictions.
- **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 testimony or 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:** During voir dire, opening statements, examination of witnesses or closing arguments, counsel shall remain at the podium or near a court microphone unless the Court permits counsel to do otherwise in order to ensure the proceedings are properly recorded.
- **Trial continuances:** Motions to continue a trial shall be made in writing and filed prior to docket sounding. 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 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:** 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

The Court requires an executed Plea Form or Admission of Violation of Probation Form before it will accept a plea or admission. The State shall provide a Criminal Punishment Code sentencing scoresheet to the defense. Any objections to the scoresheet calculations shall be brought to the Court's attention prior to sentencing. **The Court will not accept negotiated pleas on cases after the final docket sounding before trial.**

- Division forms are available by clicking on the links below:

- [Plea form](#)
- [Plea form \(Spanish\)](#)
- [VOP Admission form](#)
- [VOP Admission form \(Spanish\)](#)
- [Application for Criminal Indigent Status](#)

L. Out of County Pleas

- **Procedure:** In order for a Defendant to enter a plea in a case pending in Flagler, Volusia, or St. Johns counties, you must notify the Clerk's office at cc-courtsservices@putnam-fl.gov and the Court's Judicial Assistant at tblaha@circuit7.org least 24 hours prior to the plea hearing. You **must include** in your email the county and case number, and you must attach the charging affidavit or the VOP affidavit. The list of Out of County Plea Requirements is available by clicking on the link below:
- [Out of County Plea Requirements](#)

M. Standards of Conduct

- **Minimum standards for Counsel:** 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. 3.112

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 to 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.

N. 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](#)