

JUDGE CRAIG'S DIVISION 31 PROCEDURES AND HELPFUL INFORMATION

(2025 updated)

LOCATION AND GENERAL INFORMATION

Judge Dennis Craig's chambers, courtroom and hearing room are located at the Steven C. Henderson Judicial Center, 125 East Orange Avenue, Daytona Beach, Florida, 32114. Chambers are located in Room 307 and Courtroom 7. Telephone number is 386-257-6071 and fax number is 386-248-8132. The judicial assistant is Justy Turberville whose email address is jturberville@circuit7.org. The division 31 email address is division31@circuit7.org.

EMAILS TO JUDICIAL ASSISTANT

Proposed orders should be emailed to the Division 31 email address. When coordinating hearing time, those emails should be sent directly to the Judicial Assistant at jturberville@circuit7.org.

ZOOM

Judge Craig prefers in-person hearings; however, he does use Zoom. The zoom meeting ID is 386 257 6071 and the passcode is 32114. For all zoom hearings, attorneys should advise any party or witness to have Zoom available on their computers or electronic devices with both audio and video capability. For all persons appearing on Zoom, please make sure your first and last name are entered accurately. Attorneys are requested to include "attorney" or "esquire" so that licensed attorneys can be identifiable to the judge, clerk and court reporter. All persons appearing via Zoom shall wear appropriate attire for the hearing.

Zoom link:

Join from a PC, Mac, iPad, iPhone or Android device:

<https://zoom.us/join> and enter

meeting ID: 3862576071 and Password 32114 Join from dial-in phone line:

Dial by your location

+1 786 635 1003 US (Miami)

Meeting ID: 386 257 6071

Password: 32114

Find your local number: <https://zoom.us/j/aFwsTiPYQ>

IN PERSON APPEARANCES REQUIRED

Attorneys, parties and witnesses are expected to appear in person for all trials and evidentiary hearings unless there are special circumstances requiring a Zoom appearance. If a Zoom appearance is needed, the request must be sent to the Judicial Assistant in an email copying opposing party and letting the court know there is no objection. Zoom appearances for expedited hearings and case management conference do not require permission. All other hearings require permission.

COURT REPORTERS

Parties arranging a court reporter for attendance for a court proceeding must assure the court reporter meets the requirements set forth in the Seventh Judicial Circuit Administrative Order G-23-041-SC.

<https://circuit7.org/orders/g-2023-041-sc/>

If an attorney or a party would like a court reporter for the hearing, they are responsible for making those arrangements. The arranging attorney or party shall provide all the information necessary for the court reporter to attend. The court does prefer court reporters in person, it assures the court reporter can hear all participants, but they may appear by zoom.

MOTIONS

Parties should be prepared to discuss case management matters at all court appearances.

SCHEDULING HEARINGS

Civil hearings shall be coordinated with opposing counsel/pro se party and scheduled on benchmark. Hearings may be scheduled on the Benchmark system assessed by the following link:

https://circuit7.org/wp-content/uploads/KW_Benchmark_scheduling.pdf

If you don't have a benchmark account, please fill out the registration application following the link:

https://circuit7.org/wp-content/uploads/VOLUSIA_COUNTY_BENCHMARK_REGISTRATION_APPLICATION.pdf

For additional information, please see:

https://circuit7.org/wp-content/uploads/BENCHMARK_FAQ.pdf

If Benchmark does not show any available hearing time, you may check with the Judicial Assistant to see if additional time will be added, and you should continue to check with the calendar for cancellations. Motions should be scheduled timely. If no time appears available, contact the Judicial Assistant. Motions not timely scheduled for hearing may be deemed waived or abandoned.

EXPEDITED HEARINGS

Expedited hearings are every Wednesday at 8:30 or 9:00 a.m. only. Evidentiary hearings are not expedited. Expedited hearings should take no longer than five minutes. Judge hears 15-20 cases during this time and these hearings can be scheduled on benchmark. Any matter improperly designated as expedited shall be stricken.

HEARING REQUIRES MORE THAN 30 MINUTES

Any hearing requiring more than 30 minutes must be scheduled with the Judicial Assistant. Once the Judicial Assistant gives you dates available please coordinate amongst yourself then let the Judicial Assistant know what date is agreed.

CANCELLATION OF HEARINGS

Only the Judicial Assistant can cancel a hearing; the filing a Notice of Cancellation will not cancel your hearing. All requests for cancellation shall be sent via email to jturberville@circuit7.org.

All parties should agree to the cancellation of a hearing and the hearing may only be cancelled by the party setting the hearing.

MOTIONS AND CASE LAW FOR REVIEW

Please forward any motions and case law for review by the judge to Judge Craig's chambers by mail or hand delivery at least five days prior to the scheduled hearing.

ORDERS

Agreed orders may be sent in Word format to division 31@circuit7.org. You must copy opposing party with the email and the email should indicate that the order is an “agreed” order. An agreed order does not necessarily mean the court will sign the order. Check with the Judicial Assistant if you see the order has not been signed.

Do not send orders to the court prior to determining if the opposing counsel agrees or disagrees with the order. If the parties cannot agree on the form of the order, each side should submit an order for the judge to review.

Any order being sent in preparation for a hearing that has not occurred must be sent to Division31@circuit7.org and the email should indicate the date and time of the hearing for which the order is being sent.

EMERGENCY MOTIONS

Emergency hearings must be requested in writing , setting forth in the introductory or first paragraph the reasons why the matter is considered an “emergency.” The request must be sent to the Judicial Assistant jturberville@circuit7.org immediately to schedule this motion. Emergency Motions must be attended in -person by all counsel and necessary witnesses, unless the Court permits otherwise.

MOTIONS TO WITHDRAW

A hearing must be scheduled for a Motion to Withdraw. The client should appear for the hearing in person. These can be scheduled during the court’s expedited hearings.

MOTIONS TO COMPEL DISCOVERY.

These motions should comply with Re: Motions to Compel Discovery in Civil Actions. Parties must confer prior to scheduling the hearing.

<https://circuit7.org/orders/cv-2022-004-sc/>

PROCESS ORDERS

Once the motion has been filed, forward the order in Word format to Division31@circuit7.org for signing. The subject line of the email must state "Order, " and include the style and the case number. Do not send orders in PDF format. Do not file the motion with an blank order attached with the Clerk. File the motion with the Clerk and forward the order to the judge.

Executed orders will be served upon counsel of record in the case at their designated email address: thus it is imperative that all counsel keep their email up to date with the clerk's office. Unrepresented parties who have designated an email address will receive the executed orders at their email address. Unrepresented parties who have been excused from designating an email address will receive orders through the mail.

Orders following a hearing at which judge announced the ruling and directed a party to submit an order reflecting the ruling must be presented to opposing counsel prior to submission to the court. Once parties agree to the order the order would then be emailed with the other party copied and indicate to the court the order is "Agreed."

MOTIONS TO CANCEL FORECLOSURE SALES

The motion must contain specific facts as to the reason for the cancellation and whether the opposing party has any objection. If the opposing party objects, a hearing will be required.

FORECLOSURE CASES

Case Management Conferences and Non-Jury Trials are scheduled by the Judicial Assistant. Please file your notice of issue and forward a copy of same to Division31@circuit7.org. If there are parties without email addresses, the attorney should forward stamped, self-addressed envelopes to the Judicial Assistant for service upon those parties.

You may schedule your own motions for summary if the motions can be heard in five minutes during the judge's expedited hearings. If the motion is longer this should be scheduled during regular hearing days and this can be scheduled on Benchmark

The court will consider motions to cancel or reschedule foreclosure sales on ex-parte basis with the following requirements. A written motion is received by the court and a copy is sent to all parties. The motion must contain specific facts setting forth the reasons for the postponement

and the motion must have supporting documentation attached (e.g. sale contract, loan modification information, etc.) Motions will not be granted as a matter of right and will only be granted on a limited basis upon a determination of good cause.

SETTING TRIALS

A Notice of Issue should be filed with the clerk and a courtesy copy sent to jturberville@circuit7.org. The Notice must specify whether the trial is by jury or non-jury and the anticipated length of trial. Parties shall carefully read the Court's Order Setting Case for Trial and the Uniform Case Management Order to comply with the requirements and deadlines therein.

MOTION FOR CONINUANCES: A motion for continuance shall not be granted as a matter of right and the parties should not assume the continuance will be granted even if all parties agree. Motions to continue trials are disfavored and rarely granted. Lack of due diligence in preparing for trial is not good cause for a continuance of trial. The motion should be emailed to jturberville@circuit7.org.

SETTLEMENTS: If a case set for trial settles, counsel should forward a Notice of Settlement to the Judicial Assistant then the clerk's office will remove the case from the dockets.

JOINT PROPOSED JURY INSTRUCTIONS: Prior to jury selection, counsel for all parties shall confer and generate **one joint set** of jury instructions for use of the charge conference. Instructions that are agreed upon shall be so designated; instructions not agreed upon should be labeled as the Plaintiff's or Defendant's requested instructions within the **joint** set. The parties shall submit joint proposed or agreed jury instructions, a statement of the case, agreed witness list and verdict form(s) to the court the Friday before jury selection the following Monday. These documents shall be provided in Microsoft Word Format.

EXHIBITS FOR EVIDENTIARY HEARINGS

Parties must confer prior to any evidentiary or non-jury trial regarding any objections to exhibits.