

# **UNIFORM SCHEDULING INSTRUCTIONS**

## **Non-Emergency Hearings**

All non-emergency hearings requiring less than one hour of hearing time must be scheduled electronically through Flagler Benchmark. **See below for instructions on scheduling a case through Benchmark.**

## **Remote Appearance**

Unless otherwise indicated by the Court, all hearings are conducted in person unless Zoom appearance has been granted by motion and order. See the judge's cover page and the link for "Judicial Practices and Procedures" for additional instructions.

## **Motion Must be Filed First**

Petitions or motions must be e-filed with the clerk before a hearing can be scheduled. State in your petition or motion the position of opposing counsel – whether they object or not to the relief requested.

## **Unilaterally Setting a Hearing**

All hearings must be coordinated with opposing counsel. A party may only unilaterally set a hearing if opposing counsel is unresponsive/uncooperative after 3 attempts. Your notice of hearing must reflect the dates/times of emailed attempts. Keep in mind the attempts must be on different days at least 1 day apart.

## **The Notice of Hearing**

Notices of Hearing must reflect that the hearing will take place at: 1769 E. Moody Blvd. Bldg #1; Courtroom 402; Bunnell, FL 32110 and include the docket # and filing date of the matter to be heard. For example: "Defendant's Motion to Dismiss, Docket #109, 10/29/2024."

All hearing notices must contain the ADA notification required by Florida Rule of Civil Procedure 2.540.

A copy of the notice of hearing is to be e-mailed to the Judicial Assistant at [mwolfe@circuit7.org](mailto:mwolfe@circuit7.org)

## **Filing the Notice of Hearing**

The Notice of Hearing must be filed through the E-Portal within 24 hours of scheduling hearing time. Hearing time reservations without a corresponding notice of hearing will be removed from the docket without notice.

## **Adding Motions to an Already Scheduled Hearing**

Adding motions to an already scheduled and noticed hearing must be agreed to by both parties and an amended agreed notice of hearing must be filed at least 48 hours prior to the hearing. Please ensure that adequate time has been reserved and email a copy of the amended notice of hearing to the judicial assistant.

## **Hearings on Cases Pending Dismissal for Lack of Prosecution**

Please note that if your case is scheduled for a Lack of Prosecution (LOP) hearing, you may not schedule any hearings without specific permission from the Court until the LOP has been resolved.

## **Emergency Hearings**

Emergency hearings are rarely granted and must be requested in writing, citing the reason. In the case of an urgent / emergency matter, please contact the judicial assistant at [mwolfe@circuit7.org](mailto:mwolfe@circuit7.org).

## **How to Schedule a Hearing**

1. In order to schedule a hearing, you must log in to Flagler County Benchmark at <https://cases.flaglerclerk.gov/Home.aspx/Search>. If you are not already registered with Flagler County Benchmark, you will need to complete the Registration Agreement and create an account.
2. Once logged in, go to “**REPORTS**” (on the left side, third from the bottom).
3. Click on “available hearing times.”
4. Enter a date range no less than 5 business days ahead.
5. Enter: Judge Andrea Totten.
6. Change the event type to “**HEARING.**” This will generate a report of available times.

7. Coordinate the desired date and time with all parties. When coordinated, go to Benchmark Calendar (enter Judge Totten at the top).
8. Click on the desired time Block and hit “**SCHEDULE CASE**” on the left. Blocks are 15 minutes. If scheduling MORE THAN 15 minutes, please schedule on the consecutive time blocks up to 4 at the time. For more than an hour, contact the Judicial Assistant at [mwolfe@circuit7.org](mailto:mwolfe@circuit7.org). To confirm your reservation, view “EVENTS” at the Benchmark case docket or your time block on the calendar (it should reflect your case number). Do **NOT** tentatively block multiple time blocks, only the final, coordinated date/time is to be reserved/blocked on the calendar.
9. If you reserved time by mistake, contact the Judicial Assistant to have the reservation removed from the docket.

### **Canceling Hearings**

Hearings that are set by the Court may only be cancelled by the Court. Hearings scheduled by a party may be cancelled 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.

### **For Benchmark technical support or login issues**

Please contact Benchmark tech support at:  
[support@flaglerclerk.com](mailto:support@flaglerclerk.com) or leave a message at (386) 313-4352