

Judicial Practices and Procedures

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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: mpietzyk@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 nonparties 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, case management hearings, docket soundings, and a monthly jury trial week. Division 08 Arraignments and Bond hearings are scheduled every Thursday. Pretrial conferences, Case Management and Violation of probation/community control are scheduled once a month. Docket Sounding is scheduled for the Wednesday before trial week. Trials are scheduled for the 2nd week of each month. Other hearings are scheduled on an as needed basis. **Case Management Conferences and Docket Soundings are a mandatory appearance for defendants and counsel.**
- **Scheduling Hearings:** Before attempting to schedule a hearing, the moving party must make a good faith effort to resolve the issue with the opposing party. Hearing time must be coordinated with opposing counsel/pro se party. Good faith cooperation in coordination of hearing time is expected by all. 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 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.
- **Material Submission Deadlines:** The Court will read all material (hard copies only – no emailed copies will be accepted) delivered to chambers at least three

business days in advance of a hearing. If there is a large amount of material you want the judge to read prior to the hearing, please consider the judge may need more than three business days to read it all.

- **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:** Only the Judicial Assistant can remove a hearing from the judge's calendar. The cancelling party must email the request to cancel the hearing to the Judicial Assistant, copy all parties, and include in the email whether all parties agree to the cancellation. Once the Judicial Assistant confirms the cancellation, the cancelling party must file a Notice of Cancellation and send a courtesy copy to the Judicial Assistant via email.

C. Remote Appearance

- **Remote Appearance Procedure:** All hearings are held in person in Courtroom 4B. The Court does not allow participatory appearances by telephone or by Zoom unless an emergency exists, subject to hearings under rule 3.116(c)(1). Prior authorization by the court is required for all Zoom appearances.
- **Platform Used:** The Court uses Zoom for remote appearances.
- **Platform Meeting ID#:** You must contact the Judicial Assistant to obtain the platform meeting ID#."
- **Requirements:** While attending remote proceedings you must be in appropriate attire. You must be in a quiet area without distractions. You must not appear in a moving vehicle. Make certain your device is mute. Do not speak until your case is called.
- **Technology Needs:** When Zoom is needed for a witness, please specify if the witness is testifying or observing.

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 Division08@circuit7.org. The email must indicate whether all parties agree as to the form of the order.

- **Deadline for Submissions:** Proposed orders must be submitted within 5 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.
- **Submission Method:** The Court will read all material (hard copies only – no emailed copies will be accepted) delivered to chambers at least three business days in advance of a hearing.
- **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. Marked exhibits will be assigned a letter for identification and will receive a numerical designation if admitted as evidence.

H. Pretrial Procedures and Conferences

- **Case Management Conference:** Any party may request a Case Management Conference when a case requires. The court strongly encourages the early use of Case Management Conferences in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the court in advance, attendance at all Case Management Conferences is mandatory for all parties and attorneys.
- **Status Conference:** Any party may request a status conference when a case requires. Parties represented by counsel are not required to appear at a status conference, unless otherwise ordered by the Court.

- **Requirements:** Any request by a party for a Case Management Conference or status conference must articulate the reasons for the necessity of the conference.
- **Scheduling:** If the court agrees that a Case Management Conference or status conference is required, the Court will schedule a Case Management Conference or status conference and provide the notice directly, or through the Clerk of Court.

I. Setting Case for Trial

- **Procedure:** The Court will schedule cases for trial at the pretrial conference or Case Management Conference.
- **Notice Period:** After Docket Sounding, the Court will assign cases to specific days during the trial period and may assign back-up cases. 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 10 days to transport an incarcerated person from other facilities or jurisdictions

J. Forms

Access: [Plea Form](#)

[Plea Form \(Spanish\)](#)

[VOP Admission Form](#)

[VOP Admission Form \(Spanish\)](#)

K. Other Division Procedures

- **Out of County Pleas:** In order for a Defendant to enter a plea in a case pending in Flagler, Putnam, or St. Johns counties, you must notify the Clerk's office at VolusiaCriminal@clerk.org and the Court's Judicial Assistant at mpietzyk@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.
- **ADA Accommodations:**



REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES If you are a person with a disability who needs an accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 101 N. Alabama Ave.,

Ste. B-206, DeLand, FL 32724 (386) 257-6096, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the appearance is less than 7 days; if you are hearing or voice impaired, call 711.

THESE ARE NOT COURT INFORMATION NUMBERS



SOLICITUD DE ADAPTACIONES PARA PERSONAS CON DISCAPACIDADES

Si usted es una persona con discapacidad que necesita una adaptación para poder participar en este procedimiento, usted tiene el derecho a que se le proporcione cierta asistencia, sin incurrir en gastos. Comuníquese con la Oficina de Administración Judicial (Court Administration), 101 N. Alabama Ave., Ste. B-206, DeLand, FL 32724 (386) 257-6096, con no menos de 7 días de antelación de su cita de comparecencia ante el juez, o de inmediato al recibir esta notificación si la cita de comparecencia está dentro de un plazo menos de 7 días; si usted tiene una discapacidad del habla o del oído, llame al 711.

ESTOS NUMEROS TELEFONICOS NO SON PARA OBTENER INFORMACION JUDICIAL

- **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 101 N. Alabama Avenue, Suite B206, DeLand, FL 32724; (386) 257-6096; SignLanguageRequests@circuit7.org.
- It is Defense Counsel's obligation to arrange for Interpreter Services needed for all court proceedings.