

Practice Requirements

Judge Alicia Polk-Division B, J4, and J8

Judicial Assistant: Amanda Esqueda

(352) 518-4030- Office Telephone Number

(352) 218-7041- Hearing Line Number

Section email: CrCivE2@jud6.org

Mailing and Hearing Address: 38053 Live Oak Avenue, Suite 106-B, Dade City,
FL 33523

IF YOU DO NOT HAVE A LAWYER: The Judicial Assistant cannot answer your legal questions, and will not explain your situation to the Judge. Your opportunity to speak to the Judge happens in Court only. You may wish to consult an attorney about your case. The following is a list of self-help resources:

-Bay Area Legal Services 1-800-625-2257

-Pasco Law Library, Robert D. Sumner Judicial Center, 38053 Live Oak Avenue, Dade City, FL 33523

-Pasco Clerk of Court, 38053 Live Oak Avenue, Dade City, FL 33523

www.jud6.org/generalpublic/representingyourselfincourt

www.pascoclerk.com

www.flcourts.org

Counsel are encouraged to acquaint themselves with the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015-052](#) and the [Sixth Judicial Circuit Local Rules](#)

SETTING HEARING TIME:

This section does not schedule hearings via JAWS.

Motions must be filed with the Clerk of Court and sent to opposing counsel/self-represented party prior to scheduling a hearing.

You may contact the Judge's Judicial Assistant at CrCivE2@jud6.org to obtain hearing dates and times.

Hearing times are not reserved, and the calendars fill quickly.

Until the motion(s) appear as filed on the Clerk's docket, you cannot set the matter for a hearing.

All hearings must be coordinated with opposing counsel prior to confirming your hearing date and drafting your notice of hearing.

Once all parties have agreed upon a hearing date and time, you will need to email the Judicial Assistant to confirm.

Your hearing will not be calendared until the Judicial Assistant has received confirmation that all parties have agreed to the selected date and time.

Doing a Notice of Hearing is not confirmation that a hearing is set.

PLEASE DO NOT GENERATE A NOTICE OF HEARING UNTIL YOU RECEIVE CONFIRMATION VIA EMAIL THAT IT HAS BEEN SCHEDULED.

The notice of hearing should be filed and a courtesy copy must be sent to CrCivE2@jud6.org within 24 hours of securing the date and time and served on all parties on the service list or your hearing will be cancelled.

After a hearing is set: If an attorney or self-represented party wishes to add, delete, or otherwise change the matters to be heard at a set hearing, the parties/attorneys involved and the Judicial Assistant must be notified and in agreement. **There will be no cross-noticing allowed unless it has been coordinated through the Judicial Assistant. If you do not coordinate with the Judicial Assistant the motion will not be heard.**

Attorney's must meet and confer to attempt to resolve all or some of the outstanding issues pled in the motion set for hearing.

If the case settles, please email the Judicial Assistant to cancel any hearings or Trial that may be scheduled and file a Notice of Cancellation of Hearing and send a courtesy copy to the Judicial Assistant so it can be removed from the calendar.

Cancellations:

Only the party that set a hearing may cancel that hearing. If both parties have scheduled a hearing on the same date and time, all parties must agree to the cancellation. The Judicial Assistant must be notified by email in a timely manner and a Notice of Cancellation of Hearing should be filed with the Court with a courtesy copy sent to the Judicial Assistant.

METHOD OF HEARING (IN-PERSON, TELEPHONIC OR ZOOM):

- Hearings 30 minutes or less will be done via zoom or telephonic appearance.
- Hearings longer than 30 minutes will be done in-person or via zoom depending on the matter.
- If you want to appear in-person for a hearing that is 30 min or less, that is permitted, please inform the JA.
- Evidentiary hearings should be conducted in person or via zoom.

ZOOM HEARINGS:

Generally, ZOOM hearings may be set for hearings scheduled for less than 30 minutes. For ZOOM hearings, please make sure when you are requesting a hearing date via email, you include that you would like for it to be via ZOOM. The scheduler will be responsible for generating the Notice of Hearing with all the ZOOM information.

The Notice of Hearing should state the following:

THE HEARING IS VIA ZOOM AND ANY PARTY WHO WANTS TO PARTICIPATE IN THE HEARING IS LOGIN TO ZOOM OR CALL ____ AND ENTER MEETING ID: _____ AND PASSCODE: _____. NOTE: ALL DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER (NOT EMAIL) AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

HEARING MATERIALS:

Hearing materials should be submitted for lengthy motions/binders, exhibits or case law. Hearing Materials should be submitted at least five days in advance, hard copies via postal mail (or physical drop off). **No emailed materials will be considered unless permission is given in advance.**

WITHDRAWAL OF COUNSEL:

The Court will consider proposed orders for withdrawal of counsel if accompanied by stipulations for same signed by all the parties attached as Exhibit to Order. Otherwise a motion and hearing will be required and the attorney asking to withdraw will need to appear in person.

MOTIONS CONSIDERED WITHOUT A HEARING:

Rulings on all motions submitted *ex parte* are at the discretion of the Judge reviewing the motions and orders.

The proposed order may be uploaded in to JAWS along with a cover letter asking the Judge to rule *ex parte*.

The Court requires that all proposed orders contain a cover letter stating that opposing counsel/pro se party has reviewed the proposed order and does not object.

If no cover letter is provided indicating approval by the opposing side, the Court may take no action.

The following is a non-exhaustive list of motions that may be submitted ex parte:

- Motion to Compel Initial Discovery
- Stipulated/Agreed Orders
- Motions for Substitution of Counsel
- Motions to Withdraw (with signed consent from client attached as Exhibit to Order)
- Motions for Extension of Time to Serve
- Motion to Reset Foreclosure Sale
- Motion to Vacate Final Judgement
- Motion to Recuse/Disqualify
- Motion to Appoint Guardian Ad Litem/ Attorney Ad Litem
- Motion for writ of Possession
- Motion for Rehearing/ Reconsideration

MOTIONS:

NON-EVIDENTIARY MOTIONS, PRETRIAL MOTIONS:

The court requests that the proponent of the motion submit the following documentation 14 days after filing the notice: the motion, the notice, any response with a cover letter that states if either party is requesting a hearing. This will enable the court to either decide on written submissions or be more fully prepared at the hearing. This preference is for all

Motions to Compel and all Motions Decided on Written Submissions. See ADMINISTRATIVE ORDERS 2020-011 and 2020-012 *even when requesting a hearing*. The Court may set a hearing at the court's discretion.

- (1) **Before** filing a motion to compel or a motion for protective order, counsel for the moving party shall confer with counsel for the opposing party in a good faith effort to resolve by agreement the issues raised, and shall filed with the Court at the time of the filing of the motion a statement certifying that he or she has so conferred with opposing counsel and that counsel have been unable to resolve the dispute.
- (2) Motions to compel discovery shall quote in full each interrogatory, question on deposition, request for admission or request for production to

which the motion is addressed and the objection and grounds therefor as stated by the opposing party.

IF A PARTY IS REQUESTING A HEARING, follow the A.O. and when submitting the package to the Judge, the cover letter should state which party is requesting a hearing. The package should include the cover letter, copies of the Notice of Request for Court to Consider Motion Based on Written Submissions Without Hearing, Motion, Response to the Motion and Proposed Order with sufficient copies of the order and postage-paid envelopes for all parties.

No sanctions will be awarded ex parte. (Use form of order provided by the above AO).

AGREED ORDERS:

It is the Court's preference that proposed orders be uploaded to JAWS (Judicial Automated Workflow System). Once your order is uploaded it will either be reviewed and signed with Judge Polk's electronic signature or rejected with an explanation.

You must upload an explanatory cover letter and every proposed order must state whether opposing counsel has agreed to the form and content. All documents are to be uploaded as PDF Documents.

Orders submitted following a hearing should state that fact including the date of the hearing.

Any orders that have blanks to fill in will be rejected in JAWS. These must be mailed to the Judge.

Electronically conformed copies will only be provided to the email addresses which have been properly associated to the case in JAWS. It is the responsibility of the party uploading a proposed order to confirm that all email addresses have been added to JAWS. The Clerk and JA **DO NOT** maintain the associated party database.

****If there are any parties without an email service address, it is the responsibility of the party submitting the order to serve those parties via U.S. Mail. The following language should be included on the service list: "Plaintiff/Defendant will serve a conformed copy via U.S. Mail to the following:"**

The Judicial Assistant cannot assist you with JAWS troubleshooting. You may review the webpage: <http://www.jud6.org/legalcommunity/JAWS/howto.html> or contact the JAWS help desk at 727-453-4357 for assistance.

Any order or judgment which requires a sale date be filled in by the clerk, must be submitted as a hard copy package with sufficient copies and stamped addressed envelopes to the service list.

PROPOSED ORDERS AFTER HEARING:

As provided by the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015- 052](#) proposed orders shall be submitted to the Judge **with a cover letter** stating whether opposing counsel agrees to the proposed Order – or, that opposing counsel was given the opportunity to object to the proposed Order, but did not. Transmittals of proposed orders should always reference the date of hearing. Any orders that have blanks to fill in will be rejected in JAWS. These must be mailed to the Judge

- If the parties cannot agree on a proposed order they should submit their own orders to the court by email to CrcivE2@jud6.org with a cover letter stating their objections.
- If there is a pro se party, the moving party will be responsible for mailing the order to them.

EMERGENCY HEARINGS:

All Emergency Motions must be filed with the Clerk of Court for determination of emergency status.

The Court does receive a notification from the Clerk when an Emergency Motion is filed. You may provide our office with a courtesy copy to bring it to the court's attention after filing with the clerk. You can do this by emailing a copy of the motion to the JA with EMERGENCY MOTION in the subject line.

Opposing counsel/party is to be provided with a copy of the emergency Motion in the same manner as the court.

The Court will then determine if the matter is deemed an emergency.

CIVIL JURY TRIALS, CIVIL NON-JURY TRIALS AND FORECLOSURE TRIALS

Jury trial dockets are available below. Foreclosure trial dates are available upon request.

You may contact the Court to request a CMC date once the notice (that case is at issue) has been filed. It is the court's preference that a CMC is set to schedule the PTC and Trial dates. At the CMC the court will go over deadlines and other instructions in relation to scheduling the PTC and Trial dates.

Motions to Continue Trial. Absent very good cause, such motions must be signed by the client, as provided by Rule 1.460, and will require a hearing even if stipulated to by counsel.

Motions in Limine. It is the movants responsibility to set any motion in limine with ample time prior to any trial or evidentiary hearing that is affected by the motion in limine. If the movant fails to do so, then the motion will deemed waived/abandoned. Counsel will confer before that hearing so that only items actually in dispute will be put before the Judge.

Settlement. If your case is set for trial and settles, notify the J.A. immediately and also cancel any hearings that may be scheduled. **The mere filing of a settlement documents with the Clerk does not notify the court that a case set for trial has been resolved.**

Conduct of Trial Generally. Counsel will adhere to the Circuit's Standards of Professional Courtesy [ADMINISTRATIVE ORDER 2015-052](#). Examine witnesses from the podium. There will be no speaking objections. That means objections should be three (3) words or less, simply stating the legal ground (e.g. "relevance," "hearsay," etc.) invoked, or if elaboration is necessary, counsel should approach the bench. All argument is to be directed to the court. Do not argue after the Court rules, and do not "thank" the Court for a ruling after a bench conference in the presence of the jury.

OTHER PRACTICE AND PROCEDURE POINTERS:

Correspondence to the Court. Any communications to the court, INCLUDING EMAILS, should come from members of the Bar, not staff and must be served OR COPIED on all parties.

Deposition Disputes. The court will hear deposition disputes telephonically immediately if the Judge is available, otherwise as can be scheduled.

Attorney's Fees. The issue of entitlement may be tried in the main action or at a subsequent hearing. Issues regarding the amount of attorney fees may be left for a subsequent hearing. Fee affidavits are sufficient in lieu of expert testimony if all parties agree to their use.

Case Law. Paper copies of case law and other legal authority are welcomed by

the court. Pertinent portions may be highlighted. Copies provided to the court (including any highlighting) shall be provided to opposing counsel before the start of the hearing.

Motions: The Court does not receive notification from the clerk when a motion is filed. It is your responsibility to bring it to the Court’s attention and set the matter for a hearing.

Judge Polk
2024 Trial Calendar

January 8, 2024 (1 week) PTC: December 4, 2023- Calendar call: January 3, 2024
 February 5, 2024 (1 week) PTC: January 2, 2024- Calendar call: January 31, 2024
 March 4, 2024 (1 week) PTC: January 29, 2024- Calendar call: February 28, 2024
 April 8, 2024 (1 week) PTC: March 11, 2024- Calendar call: April 3, 2023
 May 6, 2024 (1 week) PTC: April 1, 2024- Calendar call: May 1, 2024
 June 3, 2024 (2 weeks) PTC: April 29, 2024- Calendar call: May 29, 2024
 July 8, 2024 (1 week) PTC: May 27, 2024- Calendar call: July 3, 2024
 August 12, 2024 (1 week) PTC: July 1, 2024- Calendar call: August 7, 2024
 September 2, 2024 (1 week) PTC: July 29, 2024- Calendar call: August 28, 2024
 October 7, 2024 (2 weeks) PTC: September 9, 2024- Calendar call: October 2, 2024
 November 4, 2024 (1 week) PTC: September 30, 2024- Calendar call: October 30, 2024
 December 2, 2024 (1 week) PTC: October 28, 2024- Calendar call: November 20, 2024

Judge Polk
2025 Trial Calendar

2025 TRIAL	PTC – 9:00 AM	CALENDAR CALL – 9:00 AM
January 6, 2025	December 9, 2024	
February 3, 2025	December 20, 2024	January 29, 2025
March 3, 2025	January 27, 2025	February 26, 2025
April 14, 2025 (4 days) M, T, W, R	March 10, 2025	April 9, 2025
May 12, 2025 (4 days) M, T, W, R	April 7, 2025	May 9, 2025
June 9, 2025	May 5, 2025	June 6, 2025

July 7, 2025	June 2, 2025	June 27, 2025
July 28, 2025	June 23, 2025	July 25, 2025
September 2, 2025 (4 days) T, W, R, F	July 21, 2025	August 29, 2025
October 13, 2025 (2 weeks)	September 8, 2025	October 10, 2025
November 10, 2025 (4 days) M, W, R, F	October 6, 2025	November 7, 2025

Revised 4/08/25