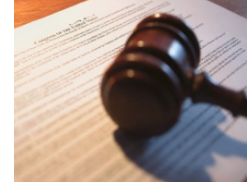




## Honorable Judge Thomas Ramsberger

545 First Avenue North, Room 200  
St. Petersburg, FL 33701



## Judicial Practice Preferences • Circuit Civil / Section 19

(Last Updated: March 19, 2019)

### **2019 JURY TRIAL WEEKS**

\* ALL ONE (1) WEEK DOCKETS \*

MAY 6  
JUNE 3  
AUGUST 12  
SEPTEMBER 9  
OCTOBER 14  
NOVEMBER 4  
DECEMBER 2

Jury selection is on Monday at 9:00a.m., the first day of trial week in Courtroom B, 4<sup>th</sup> Floor.

**PLEASE SET HEARINGS USING JAWS (See further instructions below)**

PLEASE **DO NOT** EMAIL THE JUDICIAL ASSISTANT OR E-FILE A NOTICE OF HEARING UNTIL YOUR REQUEST HAS BEEN APPROVED. REQUESTS ARE SUBJECT TO APPROVAL UPON REVIEW BY THE JUDGE'S OFFICE.



St. Petersburg Judicial Building  
545 First Avenue North, Room 200  
St. Petersburg, FL 33701

Judicial Assistant's E-Mail: [Section19@jud6.org](mailto:Section19@jud6.org)

**ALWAYS copy opposing counsel(s) on correspondence to the Court**

## Setting a Hearing using JAWS

All hearings are to be scheduled by the moving party in [JAWS](https://jawspinellas.jud6.org/jaws). The website is [https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx). Please select the "Section 19 – Ramsberger" calendar to schedule your hearing. A courtesy copy of the notice of hearing should be sent to the Judicial Assistant at [Section19@jud6.org](mailto:Section19@jud6.org) after your hearing has been approved in JAWS and it has been e-filed with the court.

- Hearings of 15 or 30 minutes may be scheduled directly online.  
**PLEASE DO NOT CALL/EMAIL THE JA DIRECTLY FOR OTHER HEARING DATES UNLESS YOUR MOTION IS AN EMERGENCY.**
  - **Setting 30, 45 Minute or Longer Hearings:**  
For hearings which require additional time, adjacent hearing time slots may be combined to create the amount of time required provided you **first call or email the JA to create the time slot prior to scheduling your hearing.**
  - All Counsel/Associated Parties. It is the moving party's responsibility to confirm that all counsel/associated parties are in the JAWS database to ensure all parties receive emails regarding the scheduling and cancellation of hearings. Failure to comply with this procedure can result in cancellation of your hearing. Additional email addresses for notification may be added for staff.

## **MORTGAGE FORECLOSURE CASE PROCEDURE**

**Do NOT send the Court NJT or SJ packets prior to the hearing. Counsel must bring these packets with them the day of trial.**

The procedures established in Administrative Order 2017-007 should be followed in mortgage foreclosure cases filed in Pinellas County.

### **Foreclosure Motions (to be set on Foreclosure UMC docket ONLY)**

All Motion's are to be scheduled on the **UMC FORECLOSURE ONLY CALENDAR** in JAWS at [https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx). The scheduling party must send a courtesy copy of the Notice of Hearing to all parties immediately AFTER your hearing request has been approved by the JA in JAWS.

### **Foreclosure Motions for Summary Judgment**

To schedule hearings of 15 minutes or less, please use the **UMC FORECLOSURE ONLY CALENDAR in JAWS**. **Attendance in person is mandatory.**

### **Foreclosure Non-Jury Trials**

To schedule a non-jury trial in an uncontested residential mortgage foreclosure case (15 minutes or less), please schedule your hearing in JAWS at: [https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx) on a **UMC FORECLOSURE ONLY CALENDAR**. Plaintiff is responsible for preparing a copy of the Notice that Cause is at Issue, proposed Order Scheduling Non-Jury Trial with the scheduled date and time, and sufficient copies of the order and postage-paid envelopes for all parties. **Attendance in person is mandatory.**

### **Foreclosure non-jury trials and non-jury trials of more than 1 hour**

Schedule using JAWS, adjacent hearing time slots may be combined to create the amount of time required provided you first call or email the JA to create the time slot prior to scheduling your hearing. If you need 2 hours or more, call the JA to offer you special set times. **Attendance in person is mandatory.**

### **Court files**

Court file(s) will NOT be ordered for the trial. If you want the Judge to have the court file(s) for the trial, please make sure to request them AT LEAST ONE WEEK IN ADVANCE. Failure to make prior arrangements for these file(s) to be available at trial will not be grounds for a continuance.

- To order the court files, please follow the below instructions:
  1. Use civilatty@pinellascounty.org email address only
  2. Subject line: "File(s) needed for foreclosure hearing in Section 19"
  3. Mark as "High Priority"
  4. Body of email: Provide case number, style of case, date of hearing, which volume(s) are needed and Identify that the files are for Section 19.

### **Sale Cancellations**

Parties shall comply with the provisions of AO 2017-007.

## **MOTIONS WITHOUT HEARING (AO 2015-056)**

### **Read procedure below**

In addition to motions that have been customarily considered ex parte (e.g., motions for judicial default, motions to compel pursuant to Administrative Order 2013-005, etc.), certain other motions may be decided based solely upon written submissions pursuant to ADMINISTRATIVE ORDER 2015-056 and ADMINISTRATIVE ORDER 2017-007. As provided by the AOs, after being served with such motions, the nonmoving opposing party shall have 10 days to file any written response, after which the court may rule without further notice or hearing.

The following motions shall generally be considered on written submissions:

- ✓ Motions for Default
- ✓ Motions to Withdraw (must comply with Fla.R.Jud.Admin. 2.505)
- ✓ Motions to Compel
- ✓ Motions to Strike
- ✓ Motions for Extension of Time
- ✓ Motions to Dismiss
- ✓ Motions for Substitution of Counsel (must comply with Fla.R.Jud.Admin. 2.505)
- ✓ Motions for Substitution of Party Plaintiff
- ✓ Motions to Substitute Counsel
- ✓ Motions to Add Party, Motions to File Amended Complaint
- ✓ Motions to Continue Non-Jury Trials

Parties may, by stipulation only, waive hearing on other non-evidentiary motions and request the court rule on written submissions alone. Conversely, parties may by stipulation, or motion, request oral argument on any motion otherwise subject to this procedure. The court will consider such requests without hearing and advise the parties if a hearing should be scheduled.

**Procedure:** File and serve motions without contacting the court initially. When fifteen (15) days have passed after service on opposing parties, then send the court:

1. A cover letter (with cc to other parties)  
\*please include the **date** this motion was sent to opposing counsel.
2. A courtesy copy of the motion
3. Any supporting material of record
4. Copies of any material served in response by another party
5. **A PROPOSED ORDER**
6. Postage paid stamped envelopes with copies for conforming.

## **PRE-TRIAL AND JURY TRIAL PRACTICE**

➤ **Prior to Pre-trial, please email the judicial assistant a copy of the Pre-trial Order and bring hard copies with you.**

➤ **Prior to trial, please submit Jury instructions and verdict forms by hard copy via U.S. Mail. Also, please e-mail a courtesy copy of the Jury Instructions and Verdict Forms to the Judicial Assistant the week of trial for changes, if necessary.**

**For security purposes, the Court does not accept discs or flash drives per Court technology.**

**\* Attention Lawyers \***

**Courtroom facilities & equipment for Jury Trial:**

**How do I schedule a video conference or reserve equipment that will be needed for a trial or hearing?**

To schedule the use of any audio/video equipment maintained by the court, call 727-453-7928. Equipment reservations should be phoned in a minimum of seven days in advance of the proceeding. If you are requesting use of the Nomad evidence presentation system, the person who will be using the equipment must be trained. To schedule training, call the above numbers.

**NOTE:** When calling to schedule equipment, please have all necessary information (courtroom, time of hearing, etc.).

**Scheduling Jury Trials**

Copies of motions to set jury trial should be provided to the court via US mail or e-mail (copy opposing counsel), when e-filed they do not come to the Judge. Mediation should be attempted in all cases unless excused by the court upon motion and hearing; cases that have not been mediated will be referred for mediation and usually not set for trial until mediated. In setting trial, counsel are encouraged to coordinate a trial date among the parties using the available trial dockets. When a trial docket is agreed upon, contact the Judicial Assistant to calendar the trial and prepare the order setting jury trial. If the parties cannot agree on a trial date, schedule a hearing in JAWS for that purpose.

**Order Setting Pretrial Conference and Jury Trial**

ADMINISTRATIVE ORDER 2013-064: The discovery cutoffs and deadlines provided by this order are binding, as are the provisions for counsel to meet to resolve minor evidentiary problems and to provide the court a proposed Pretrial Conference Order prior to the PTC.

**Motions to Continue Trial**

These motions must be signed by the client, as provided by Rule 1.460. When providing such motions, ALWAYS inform the Judicial Assistant whether opposing has an objection or not.

**Motions in Limine**

Time will normally be provided for motions in limine to be heard after pretrial and before the week of trial. Counsel will confer before that hearing so that only items actually in dispute will be put before the Judge. The Court has no time for “boiler plate” issues such as forbidding Golden Rule arguments. **Contact the judicial assistant to find out what date has been reserved for Motions in Limine.**

## Voir Dire

Attorneys will inquire of the entire jury panel seated in the gallery. A seating chart with jurors' names will be provided. The court will initiate voir dire questions and then counsel will follow with their inquiries.

## OTHER MOTION PRACTICES

### Withdrawal or Substitution of Counsel

Rule of Judicial Administration 2.505 requires a "motion and hearing" for withdrawal of counsel. Judge Ramsberger will forego a live hearing and deem this requirement adequately complied with if, and only if, there is filed a Stipulation for Withdrawal signed by both the client and all counsel. The same rule requires that all substitutions of counsel be "signed off" by the client. Orders granting withdrawal must include the complete address, e-mail address and telephone number where future correspondence and pleadings may be sent to the client.

### Motions for Rehearing/Reconsideration

Provide the Judge with a copy of the motion. Do not schedule for hearing unless the court decides a hearing is required.

### Ex Parte Motions

Counsel seeking consideration of a matter ex parte should always provide the Court with courtesy copies of a motion and any supporting materials such as affidavits with their proposed orders, service copies, postage-paid envelopes, and an appropriate cover letter signed by a member of the Florida Bar, not a staff member.

### Case Management Conferences

Please set this on a UMC CALENDAR ONLY in JAWS, these are set for 15 minutes, file a notice of hearing immediately after your request has been accepted through JAWS. **Attendance in person is mandatory.**



### **Emergency Motions**

All Emergency Motions must be filed with the Clerk of Courts prior to the Court determining emergency status. **A party must provide a copy to the Judge via email or by calling the Judge's office directly per Administrative Order.** Motions are to be submitted to the Court for determination of emergency status. Once the motion is reviewed by the Judge, you will be contacted by the Judicial Assistant.

## Cancellations

**\*If the case settles, please e-mail [Section19@jud6.org](mailto:Section19@jud6.org) to cancel any hearings or trials that may be scheduled. Please use "Cancellation" in the subject line.**

Hearings that you schedule in JAWS can also be cancelled by you in JAWS for up to 24 hours prior to the hearing. If your hearing is less than 24 hours away, please call the JA to cancel your hearing. The mere filing of a Stipulation of Dismissal is not adequate notice to the court that a case set for trial has been resolved. You may not cancel a hearing without notification and agreement of all parties. The Judicial Assistant must be notified 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.



## Telephonic Appearances

*Telephonic Appearances are **NOT** permitted for any Foreclosure hearings or UMC dockets. Telephone attendance is allowed for other non-evidentiary hearings of up to 15 minutes. The notice of hearing shall state that it is telephonic and identify all parties appearing by telephone. If more than one party is attending by telephone, one attorney shall be designated to coordinate the conference call and have all parties on the line prior to calling in. Counsel shall call the Judge's hearing line, **727-582-7875**, no more than 3 minutes before the scheduled hearing time. The judicial assistant will place the call on hold until the judge is ready to hear the case.*

## Agreed Upon Proposed Orders

Proposed orders that are stipulated to/agreed upon by both sides may be uploaded to JAWS and will be signed with Judge Ramberger's electronic signature. You must also upload an explanatory cover letter and every proposed order **MUST** state whether Opposing Counsel has agreed with the form and content. **All documents are to be uploaded as PDF documents.** The instructions for uploading orders are as follows:

1. JAWS submissions of proposed orders to the court should consist of two uploads:
  - a. The order or judgment to be reviewed and signed, and nothing else, goes in one location.
  - b. Everything else goes in the other upload location - namely, the information that shows the judge why the order should be signed (i.e., cover letter and motion or stipulation, plus exhibits if necessary). These are all uploaded as one single document.
2. It should never be necessary to make a duplicate upload. These create many problems. If there is a problem with uploading, contact the JAWS Help Desk, 727-453-4357.
3. **Do not submit proposed orders on JAWS in advance of a scheduled hearing unless specifically requested by the Judge.**

4. Helpful tips:
  - a. Your cover letter should include express confirmation by a member of the Florida Bar that the proposed order has been shared with all other non-defaulted parties, and that they have no objection as to its form. (If there is an objection, submit the order via US mail or email to [Section19@jud6.org](mailto:Section19@jud6.org) with an explanatory cover letter.)
  - b. If your order is based on the Judge's ruling after a hearing, state that fact, including the date of the hearing.

**Electronically conformed copies** will only be provided to the email addresses which have been 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 JA and the clerk DO NOT maintain the associated party database.

#### **Attention Pro Se litigants**

The Judicial Assistant CANNOT answer legal questions, or “explain” things to the Judge. Your opportunity to speak to the Judge happens in Court only. The Clerk of the Court has a Self Help Program for self-represented litigants in the St. Petersburg Judicial Building. Gulfcoast Legal Services can be reached in Clearwater (727) 443-0657 or St. Petersburg (727) 821-0726. Bay Area Legal Services is available at 1-(800)-625-2257. Lawyer referral services of the Clearwater and St. Petersburg Bar Associations are at (727) 461-4880 and (727) 821-5450 respectively.

*Please see next page for...*

**Civil Law Forms for Judge Thomas Ramsberger  
Circuit Civil Section 19**





IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CASE NO.: \_\_\_\_\_

Plaintiff(s)  
vs.  
Defendant(s)  
\_\_\_\_\_ /

**ORDER SCHEDULING NON-JURY TRIAL**

THIS CAUSE being at issue and the Court being otherwise fully advised in the premises, it is

**ORDERED AND ADJUDGED** that a Non-Jury Trial in the above-styled cause is hereby scheduled on \_\_\_\_\_ at \_\_\_\_ a.m. / p.m. before the Honorable Thomas Ramsberger, Circuit Judge, at the St. Petersburg Judicial Building, 545 First Avenue North, Room 200, St. Petersburg, FL 33701. **All parties or their representatives named herein and their counsel, if any, shall attend the Non-Jury Trial, in person. The Court will have only an electronic file available at the Non-Jury Trial. It is counsel's responsibility to bring any hard copy documents that may be needed at trial. Failure to make prior arrangements for these documents to be available at trial will not be grounds for a continuance.** It is further,

**ORDERED AND ADJUDGED** that at least **30 days before the Non-Jury Trial**, counsel for all parties, and any pro se party, must serve a list of the names and addresses of all lay or expert **witnesses** who are expected to testify at trial, whether for substantive, collaborative, impeachment or rebuttal purposes, as well as a list of all **exhibits** which are expected to be admitted at Trial, whether for substantive, demonstrative, collaborative, impeachment or rebuttal purposed. Witnesses and exhibits not listed as described above may not provide testimony or may not be admitted at trial except by stipulation of all parties or as allowed by order of the Court.

**DONE AND ORDERED** at St. Petersburg, Pinellas County Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
THOMAS RAMSBERGER, Circuit Judge

**If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Human Rights Office, 400 S. Ft. Harrison Ave., Ste. 300, Clearwater, FL 33756, (727) 464-4062 (V/TDD) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.**

Copies furnished to:

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIVIL DIVISION CASE NO. \_\_\_\_\_**

Plaintiff(s),

vs.

Defendant(s).

\_\_\_\_\_ /

**ORDER TO APPEAR FOR CASE MANAGEMENT CONFERENCE (FORECLOSURE)**

Plaintiff's counsel having given notice that this cause is at issue, in order to ensure the efficient use of court resources through adequate communication between parties, it is hereby ORDERED THAT

1. There shall be a case management conference (CMC) before **Judge Thomas Ramsberger** on \_\_\_\_\_, 20\_\_ at \_\_\_\_: \_\_\_\_am/pm in Room 200, 545 First Avenue North, St. Petersburg, FL. The CMC will be held for all purposes set forth in Rule 1.200, Florida Rules of Civil Procedure, and specifically to:

- a. Review the possibility of settlement, including the status and availability of any loss mitigation options
- b. Hear, or schedule for hearing, all outstanding motions
- c. Identify outstanding pending discovery, including any documents not yet produced
- d. Determine any further depositions or other discovery to be sought by any party
- e. Disclose any anticipated trial witnesses other than parties or representatives of institutional parties
- f. Identify documentary evidence that may be admitted at trial without objection in a composite exhibit
- g. Identify any other uncontested or stipulated facts
- h. Identify the actual truly disputed issues for trial, including (without limitation) any of the following, and consider whether they might best be addressed by motion for summary judgment or other motions
  - (1) Plaintiff's compliance with conditions precedent
  - (2) Plaintiff's standing
  - (3) Anticipated objections to Plaintiff's business record evidence
  - (4) Affirmative defenses Defendant will actively litigate at trial
- i. Schedule pretrial conference and trial, if appropriate

2. Lead trial counsel (i.e., the attorneys expected to try the case) are required to appear in person at the CMC. In advance of the CMC, they shall confer with one another orally (i.e., in person or by telephone, not via email or other written exchange) to address each of the matters enumerated in the preceding paragraph.

**FAILURE TO FULLY COMPLY WITH THIS ORDER MAY RESULT IN IMPOSITION OF SANCTIONS, WHICH MAY INCLUDE STRIKING OF PLEADINGS, DISMISSAL, DEFAULT, IMPOSITION OF COSTS, OR ANY OTHER SANCTIONS PERMITTED BY LAW.**

**DONE AND ORDERED** in Chambers, at St. Petersburg, Pinellas County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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THOMAS RAMSBERGER  
Circuit Judge

Copies furnished to: