

*JACK ST. ARNOLD*  
*Circuit Judge*

*STACY WISMAN*  
*Judicial Assistant*



**SECTION 25 JUDICIAL PRACTICE PREFERENCES**  
**CIRCUIT FAMILY**

**Address** 315 Court St., Room 423, Clearwater, FL 33756

**Telephone** (727) 464-3239

**COURTROOM DECORUM**

---

Attorneys and litigants are expected to arrive on time and be ready to address their case.

ADMINISTRATION ORDER NO. PA/PI-CIR-2015-052: This A.O. contains the STANDARDS OF PROFESSIONAL COURTESY FOR THE SIXTH JUDICIAL CIRCUIT which will be strictly enforced. No speaking objections. All argument to be directed to the Court. Examine witnesses from the podium. Do not argue after Court rules.

**COMMUNICATION WITH THE COURT**

---

**Telephone** Please review these Requirements before contacting the Judicial Assistant.

**Email** [section25@jud6.org](mailto:section25@jud6.org). Please do not contact the Judicial Assistant and/or Judge using their personal email. The subject line should contain the case number, name and relevant matter.

**Fax & E-MAIL Policy:** The Judge **does not** accept any correspondences, motions, orders via email and/or fax.

**Inquiries About Cases** Before contacting the JA about the status of a case or pending order, attorneys and their staff should consult with the Clerk's on-line docket.

## **Unsolicited**

**Communications** Unsolicited communication from non-parties will not be read by the Court.

## **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.** Although not expected to be as skilled and knowledgeable as lawyers, all “self-represented” parties (also known as “pro se” litigants) are nevertheless subject to all laws and Rules of Court procedure that apply to a lawyer. Judges, and their assistants, are forbidden from giving any advice or help to unrepresented parties. Judges, and their assistants, must remain neutral and impartial. **A self-represented party is authorized to contact the Judge’s office in the same manner as an attorney’s office as set forth in these preferences.**

The Clerk of Court has a Self Help Program for self-represented litigants on the first floor in the courthouse at 315 Court Street, Clearwater, FL 33756, (727) 464-5150.

Gulfcoast Legal Services can be reached at (727) 443-0657 in Clearwater and (727) 821-0726 in St. Petersburg.

Bay Area Legal Services is available at (800) 625-2257.

Community Law Program in St. Petersburg can be reached at (727) 582-7480.

Lawyer referral services can be contacted through the Clearwater Bar Association at (727) 461-4880 and the St. Petersburg Bar Associations at (727) 821-5450.

## **GENERAL INFORMATION**

---

**DIGITAL RECORDING / COURT REPORTERS:** A digital court reporter is *only* provided by the Court for domestic violence hearings. The Court does not provide a court reporter or digital recording for any other proceeding and it is the responsibility of the party desiring such reporting to arrange for a Court Reporter to be present for whatever hearing they believe a Court Reporter is necessary, and to be responsible for the payment for the court reporter’s services (subject to later reallocation by the court if an appropriate motion seeking same is filed, set for hearing and ruled upon by the court). A list of Court approved court reporters, as well as information on how to obtain a transcript from a digitally recorded proceeding can be found on the left side of the [www.jud6.org](http://www.jud6.org) website under “Court Reporting”

**MEDIATION:** Pursuant to local Administrative Order No.: [2011-006 PA/PI-CIR](#) all post judgment matters **and** temporary support matters are automatically referred to

mediation prior to a hearing on the matter. Once mediation is scheduled, a hearing may be set on the Court's calendar to occur after mediation.

**DEPOSITON DISPUTES:** If extremely critical, attempt an immediate telephone hearing. Otherwise, certify question and set hearing.

**FAMILY LAW FORMS:** The Florida Supreme Court has approved numerous forms for use in Family Law proceedings, which may be purchased through the Clerk of the Court, or downloaded at no cost from the State Court website: <http://www.flcourts.org/resources-and-services/court-improvement/problem-solving-courts/family-courts/family-law-forms.stml>. In addition, the Sixth Judicial Circuit has a number of [Locally Approved Individual Forms](#), which may be found on the [www.jud6.org](http://www.jud6.org) website under "Representing Yourself in Court".

**E-PORTAL FILINGS:** Documents filed through the e-portal are NOT provided to the Judge's office. If you want the Judge's office to receive it, you **MUST SEND IT DIRECTLY TO THE JUDGE** by regular mail. **Do not send proposed orders through the e-portal.**

**PARENTING CLASS:** In all cases involving the initial establishment/determination of Parental Responsibility and Timesharing of minor children, the parties are each required to attend a 4-hour Parenting Class and file a certificate of completion of the course with the Clerk of the Court prior to the entry of the Final Judgment. Pursuant to § 61.21(5), Fla. Stat. all parties are required to complete the parenting class as expeditiously as possible, and unless excused by the Court the Petitioner must complete the course within 45 days after the filing of the initial petition and the Respondent must complete the course within 45 days of receiving service of process of the initial petition (or 45 days of adjudication of paternity).

Unless permitted by Court order rendered after the filing of an appropriate motion, each party is required to attend the course **in person**. A list of providers of the [Required Courses for Parents](#) may be found through this link, or on the [www.jud6.org](http://www.jud6.org) website under "Self Representation"

## **SETTING HEARINGS**

---

All motions must be filed with the Clerk prior to reserving hearing time.

Section 25 utilizes the Jaws System for scheduling hearings 60 minutes or less. All hearings 60 minutes or less must be scheduled in the Jaws System. Jaws hearings are available in 15, 30 and 60-minute time slots. Section 25 does not have a UMC Calendar. The website is [https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx). Please select the "Section 25 – St. Arnold" calendar to request your hearing.

Hearings are limited to the time reserved. The parties opposing the motion are entitled to equal time. Accordingly, the party reserving and scheduling the hearing shall confer with opposing counsel and agree to the actual time required.

**PLEASE DO NOT SEND OUT A NOTICE OF HEARING UNTIL YOU RECEIVE A SECOND CONFIRMATION FROM JAWS THAT THE DATE/TIME REQUESTED HAS BEEN SCHEDULED.**

**All Counsel/Associated Parties. It is the moving party's responsibility to confirm that all counsel/associated parties are in the JAWS data base** 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.** Attorneys only should be added as Associated Parties. Additional email addresses for notification may be added for staff under email address.

### **HEARINGS LONGER THAN 60 MINUTES**

---

Hearings more than 60 minutes in length must be scheduled by emailing the JA at [section25@jud6.org](mailto:section25@jud6.org) for hearing dates and times. Please put the case number and the style of the case in the subject line.

**WHEN CONFIRMING A DATE/TIME, YOU MUST PROVIDE THE FOLLOWING INFORMATION:**

- **case number & style;**
- **names of attorneys for both Plaintiff and Defendant and which attorney's office you are with; and**
- **the motion(s) to be heard AND the date the motion(s) were filed.**

When you do not provide this information when confirming a hearing time, it requires another email from me referencing the above instructions again and may result in a delayed confirmation of the hearing time and possible unavailability.

**PLEASE DO NOT SEND OUT A NOTICE OF HEARING UNTIL YOU RECEIVE AN EMAIL CONFIRMING THE DATE/TIME REQUESTED IS STILL AVAILABLE AND SCHEDULED.**

### **CROSS NOTICE HEARINGS**

---

Cross-Noticing a motion upon another party's time is STRICTLY PROHIBITED. If you cross notice, your motion will not be heard, unless agreed to by the Court and opposing party and if time permits.

## **CANCELLATION OF HEARINGS**

---

If a case settles or a scheduled hearing is resolved, **IMMEDIATELY** call the office and/or send an email to [section25@jud6.org](mailto:section25@jud6.org) to cancel any hearings or trials that may have been scheduled.

## **MOTION PRACTICE – GENERALLY**

---

**COURTESY COPIES OF NOTICE OF HEARINGS AND OTHER DOCUMENTS - Our system is not paperless! E-filing with the Clerk does not put anything into the judge's hands.** Courtesy copies of the motion, Notice of Hearing, and all supporting documentation must be provided directly to Judge St. Arnold, 315 Court St., Room 423, Clearwater, FL 337565 via hand delivery, US Mail, Fed Ex / UPS (**not email or fax**). **PLEASE DO NOT EMAIL DOCUMENTS TO THE JA UNLESS THEY ARE SPECIFICALLY REQUESTED.**

**EMERGENCY MOTIONS:** When attorneys e-file an emergency motion, the documents will be processed by the Clerk. However, the Clerk does not forward it to the judge's office and accordingly, the Judge and JA are not aware of the filing. It is the attorney's responsibility to submit a copy of the motion to the Court for determination of emergency status by US Mail or hand delivery. If granted, a hearing will be set at date and time the Court dictates. If counsel is not available at the time the Court picks for hearing then it is not an emergency. Opposing counsel/party is to be provided with Motion in same manner as the Court, unless reasons for no notice stated.

If the judge is unavailable, the attorney should go to the Emergency/Duty judge regardless of whether or not the duty judge is assigned to the civil section.

**TELEPHONIC HEARINGS:** Telephonic hearings may be permitted for hearings that are thirty (30) minutes or less. Hearings by telephone **MUST** be set forth in the Notice of Hearing. If he/she gets voicemail when calling, please hang up and keep calling back until he/she gets through. **Do not leave a voice message to call back. If more than one party is appearing by phone, you will need to coordinate a conference call, getting all parties on the line, before calling at 727-464-3239.** Otherwise, the attorney will just call in at the time of the hearing – **the Court does not initiate any telephonic hearings.** Attorneys may attend in person.

## **SPECIFIC MOTIONS & HEARINGS**

---

**SUBSTITUTION OF COUNSEL:** A proposed Order of Substitution of Counsel may be uploaded for entry on JAWS as set forth above, provided there is an accompanying stipulation including the client's **WRITTEN** consent as required by Rule 2.505(e)(2), Fla. R. Jud. Admin. Proposed orders approving stipulations for substitution of counsel without the written consent of the client will be rejected by the Court.

**MOTIONS TO WITHDRAWAL OF COUNSEL:** A proposed Order Granting Motion to Withdraw may be uploaded for entry on JAWS without need of a hearing, so long as written consent by the client is provided and there is no objection to the withdrawal from the opposing party (or counsel if represented). In order for the Court to be able to enter same, the Motion to Withdraw must contain (or attach as an exhibit) the consent from the client, certification of the confirmation of the opposing party's non-objection to the withdrawal and be in compliance with Rule 2.505(f)(1), Fla. R. Jud. Admin. by setting forth the reason for the withdrawal and the client's last known address, telephone number, including area code, and e-mail address. The proposed Order Granting Motion to Withdraw shall not specify any abatement of activity in the case, however it shall (must) recite the client's full contact information as set forth in the motion – and the uploading attorney must affiliate the client's e-mail address with the case on JAWS prior to uploading the proposed order for entry.

**MOTIONS FOR REHEARING AND RECONSIDERATION:** Will not be set for hearing initially. Please submit a copy of the motion and proposed order to the Judge's office for entry of an order. If the Judge determines a hearing is required, your office will be contacted.

**MOTIONS TO COMPEL:** If the motion is filed in accordance with Administrative Order 2017-072 PA/PI-CIR, the Court can enter an order without a hearing. Please review the Admin. Order and if this is the case in this matter, submit a courtesy copy of the Motion, Proposed Order (with sufficient amount of copies to be conformed) and postage-paid envelopes to our office.

**MOTIONS FOR TEMPORARY RELIEF:** For temporary relief matters, ALL temporary motions (i.e. custody, visitation, support, etc.) must be mediated prior to a hearing being held. Once mediation is scheduled, the moving party may schedule a one (1) hour hearing for temporary relief matters following the scheduled mediation. **Hearing time on the court's calendar on temporary matters will not be reserved until mediation has been scheduled.** Temp hearings should not exceed one (1) hour except under extraordinary circumstances. To expedite hearing, proffers are strongly encouraged.

**MOTIONS TO PERMIT TELEPHONIC APPEARANCE:** No motion, nor order, is necessary for counsel to appear for a non-evidentiary hearing of 30 minutes or less. See Telephonic Hearings above.

**CASE MANAGEMENT CONFERENCES:** The Court may set Case Management Conferences on its own, or at the request of a party, to address matters as set forth in Rule 12.200, Fla. Fam. L. R. P.

Unless otherwise agreed to by the parties in advance, the individual parties are expected to attend the first Case Management Conference in their case in person.

If the parties are in agreement with the need for a Case Management Conference, a party may schedule and coordinate a 30 minute Case Management Conference without

need of the filing of a motion seeking same.

**MOTIONS FOR RELOCATION:** Pursuant to § 61.13001(10), Fla. Stat., the Court affords special accommodation to schedule hearings on relocation requests – both temporary and final – on an expedited basis **provided the moving party has complied with all other requirements for seeking relief INCLUDING WITHOUT LIMITATION THE REQUIREMENT TO SCHEDULE AND ATTEND MEDIATION PRIOR TO SEEKING HEARING TIME WITH THE COURT.** The failure of a party to abide by the strict requirements of the statute, as well as the requirements of the local Administrative Orders and the Practice Preferences of this section SHALL be deemed a waiver of any specific time requirements of the Statute.

**UNCONTESTED FINAL HEARINGS:** An uncontested Final Hearing may be scheduled on the Court's calendar for any 15 minute hearing time. Prior to scheduling an uncontested Final Hearing, the moving party should insure that the following items have been filed with the Clerk of the Court:

**Dissolution of Marriage without children:** Financial Affidavit(s) – *if financial relief is being granted by the Court*; Marital Settlement Agreement.

**Dissolution of Marriage with minor children:** UCCJEA Affidavit(s); Social Security Number Affidavit(s); Marital Settlement Agreement; Parenting Plan executed by both parties; Certificates of completing Parenting Course by each parent; Financial Affidavit(s); Child Support Guideline Worksheet.

**Paternity actions:** UCCJEA Affidavit(s); Social Security Number Affidavit(s); Parenting Plan executed by both parties; Certificates of completing Parenting Class by each Parent; Financial Affidavit(s); Child Support Guideline Worksheet.

**ADOPTIONS / NAME CHANGES:** Adoption files and Name Changes are reviewed by the Court's Staff Attorney prior to any final hearings being scheduled. If you believe your case is ready to set for final hearing, e-mail [Section25@jud6.org](mailto:Section25@jud6.org) with the case number so that we may verify the status with the Staff Attorney. You will be notified by the Staff Attorney if additional documentation is needed; or you will be notified by e-mail from the Judicial Assistant that a final hearing can be scheduled. **All final hearings on adoptions MUST have a court reporter present.** The Court does not provide a court reporter for the proceedings. A list of Court approved court reporters can be found on the left side of the [www.jud6.org](http://www.jud6.org) website under "Court Reporting" or through the following link: [Court Reporters Approved for Assignment in the Sixth Circuit.](#)

**SETTING PRETRIAL CONFERENCES AND TRIALS:** A Pre-Trial Conference will be required for any Final Hearing by Non-Jury Trial, which is expected to take three (3) hours or more of the Court's time. In most cases, a Case Management Conference is necessary to set a Pre-Trial Conference.

Pre-Trial Conferences are scheduled for thirty (30) minutes and no motions will be

heard at the Pre-Trial Conference without prior approval of the Court. The attorney conducting the trial must attend the Pre-Trial Conference in person, not by telephone. The parties must also attend the Pre-Trial Conference. It is assumed that at a Pre-Trial Conference the case is ready to be tried, there are no pending motions, and all (or virtually all) discovery is completed so the Court may impose discovery deadlines and schedule the Final Hearing by Non-Jury Trial at the Pre-Trial Conference, so the parties and counsel must bring their calendars to the Pre-Trial Conference.

## **PROPOSED ORDERS**

---

**Agreed** upon proposed orders may now be uploaded to JAWS for Judge St. Arnold's electronic signature. You must also upload an explanatory cover letter\* see #4 below. 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 through JAWS in advance of a scheduled hearing unless specifically requested by the judge.
- (4) Cover letter requirements:
  - 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 or that they have failed to respond in a reasonable time with any specific objections. (If there **is** an objection, submit the order via mail 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, the title of the motion and the date it was docketed.



**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 all email addresses have been added to JAWS including any Pro Se parties. The JA and the clerk DO NOT maintain the associated party data base.**

**\*All other orders** may also be submitted via US mail with cover letter, copies for conforming, and self-addressed stamped envelopes. **Section 25 will not accept orders via email.**

Orders should be submitted to the judge within five (5) days from the date of the hearing unless specified otherwise by the judge.

Sufficient copies and stamped, addressed envelopes must be provided.

The Court **will not** hold ANY document or proposed Order awaiting objection from another party.

Orders should **NOT** have the “DONE AND ORDERED” and Judge’s signature standing alone on a separate page. Some part of the body of the Order should be included on signature page.

Judge St. Arnold is located in Clearwater, Pinellas County, Florida and is the Judge for Section 25. Please make sure the orders reflect the same.

Do not send unsigned proposed Orders to the Clerk of Court. All proposed Orders must be sent to the Judge’s office for signature.

## **TRIAL PREFERENCES**

---

**EVIDENCE AT TRIAL:** Judge St. Arnold prefers to have all items to be admitted into evidence by stipulation for all parties in one (1) notebook, if possible. If there is any evidence that the parties do not agree on, Judge St. Arnold will deal with it as it comes up in trial.

If there is any demonstrative evidence that will be presented at trial, the parties need to share that with each other prior to the day of trial.

**ATTORNEYS FEES:** The issue of entitlement may be tried in the main action or at a subsequent hearing. Issues regarding the amount of attorney fees shall be left for a subsequent hearing. Parties can usually expect an additional referral to mediation post trial regarding attorney’s fees and costs.

**TECHNOLOGY:** Arrange for use of technology prior to the first day of trial. To do so, call the Sixth Circuit’s IT Department at (727) 464-5443.