

HONORABLE GEORGE M. JIROTKA  
CIRCUIT CIVIL SECTION 15  
PINELLAS COUNTY COURTHOUSE  
315 COURT STREET, ROOM 417  
CLEARWATER, FL 33756  
(727)464-3636  
[section15@jud6.org](mailto:section15@jud6.org)

Judicial Practice Preferences  
Circuit Civil  
(Revised March 2018)

IN ORDER TO PROVIDE YOU WITH THE BEST SERVICE POSSIBLE, THE COURT HANDLES ALL COMMUNICATION BY EMAIL (**THE COURT DOES NOT USE JAWS**)

**HELP FOR PARTIES WITHOUT ATTORNEYS**

The Court CANNOT answer your legal questions or “explain” things. Your opportunity to speak to the Court happens in Court only. The Clerk of the Court has a Self Help Program for self-represented litigants in the Pinellas County Courthouse and the St. Petersburg Judicial Building. Gulfcoast Legal Service can be reached in Clearwater at (727)443-0657 or in St. Petersburg at (727)821-0726. Bay Area Legal Services for Clearwater and St Petersburg at (727)490-4040 or (800)625-2257. Lawyer referral services of the Clearwater and St. Petersburg Bar Associations are at (727)461-4880 and (727)821-5450, respectively.

**TO SCHEDULE HEARINGS:** Email your request to [section15@jud6.org](mailto:section15@jud6.org). Put the case number and the style of the case in the subject line.

e.g. 17005555CI SMITH V SMITH (no dashes)

In the body of the email include the amount of time you are requesting, motions to be heard, names of the attorneys and the parties they represent and/or pro se parties and whether or not this is a telephonic hearing.

**SETTING HEARINGS:** After you have cleared a date with opposing counsel, please send an email to [section15@jud6.org](mailto:section15@jud6.org) to be set on the Court’s calendar. **DO NOT** send in a Notice of Hearing unless you have received an email confirming the date and time requested. In the body of this email, the required information is:

Case Number & Style of Case in subject line only: e.g. 17005555CI SMITH V SMITH

Names of attorneys

What pleading(s) are to be heard (if Case Management Conference, indicate issue)

The date the pleading(s) were docketed

Requested amount of time for said hearing

Scheduling party, Plaintiff or Defendant

Upcoming court dates, if applicable

Telephonic attendance request, if applicable

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

**ADA LANGUAGE:** Certain ADA language is required in Notices of Hearing. Florida Rule of Judicial Administration 2.540 sets specific requirements regarding the ADA language in Notices of Hearing. Additionally, in 2017 the Sixth Circuit issued a revised Administrative Order on the subject: Administrative Order No. 2017-027 PA/PI-CIR.

Essentially, the ADA language in each notice must be in **bold face, 14-point Times New Roman or Courier font**. The specific language for Notices of Hearing in Pinellas County is listed below (using Times New Roman font):

**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.**

**CROSS NOTICE HEARINGS:** A motion will not be added to the calendar without approval of the Court. If you file a Cross Notice of Hearing without the approval of the Court, the Court will not hear the motion.

**TELEPHONIC HEARINGS:** Telephonic attendance may be permitted for hearings that are 30 minutes or less. Evidentiary matters will NOT be considered. Hearings by telephone **MUST** be stated in the notice of hearing. The party filing the notice shall be responsible for getting each participant on the line **BEFORE** calling the Court.

**PROPOSED ORDERS:** Proposed orders shall include the hearing date, if applicable, and shall be submitted to the Court with a cover letter stating that opposing counsel or pro se party agrees or objects to the proposed order or was given the opportunity to object to the proposed order but did not. If a Final Disposition Form is appropriate, prepare and include it with the proposed order/judgment.

#### **DO NOT STAPLE OR PAPERCLIP ENVELOPES TO THE INDIVIDUAL ORDERS**

Orders should be submitted to the Court within 5 business days from the date of the hearing unless specified otherwise by the Court.

Sufficient copies and self-addressed stamped envelopes must be provided.

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

Orders must **NOT** have the “DONE AND ORDERED” and Court’s signature alone on a separate page. Some part of the body of the order must be included on the signature page.

The Court is located in Clearwater, Pinellas County, Florida. Make sure the orders reflect this fact.

Do not send unsigned proposed orders to the Clerk. All proposed orders must be sent to the Court directly for signature.

**COURT REPORTER:** If you would like a Court Reporter present for a hearing, you must arrange for a Court Reporter before the hearing is scheduled to start.

**FAX / E-MAIL POLICY:** The Court **does not** accept any correspondences, motions or orders by email and/or facsimile.

**MOTIONS:** Motions must be filed and docketed with the Clerk **before** requesting hearing times from the Court.

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

**E-PORTAL FILINGS:** Documents filed through the e-portal are **NOT** provided to the Court. If you want the Court to receive it, you **MUST SEND IT DIRECTLY TO THE COURT** by regular mail or hand delivery. Do not send proposed orders through the e-portal.

**MEDIATION:** Mediation is required unless the Court decides otherwise. Trials (jury or non-jury) will normally **NOT** be held unless mediation is completed. A case management conference may be set to discuss trial and mediation dates. The case must mediate within **1 year** of the trial.

**EMERGENCY HEARINGS:** Motions are to be submitted to the Court for determination of emergency status. If granted, a hearing will be set for a 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/pro se party is to be provided with a copy of the Motion in same manner as the Court, unless reasons for no notice are stated.

If the Court is unavailable, the emergency request should go to the Emergency/Duty judge regardless of whether or not the duty judge is assigned to a Civil Section.

**SUBSTITUTION OF COUNSEL:** Pursuant to Florida Rule of Judicial Administration 2.505(e)(2), stipulations for substitution of counsel require the party's written consent.

**MOTIONS FOR REHEARING AND RECONSIDERATION:** Will not be set for hearing initially. Submit a copy of the motion to the Court for entry of an order. If the Court determines a hearing is required, you will be contacted.

**IF A CASE SETTLES:** **Immediately** send an email to [section15@jud6.org](mailto:section15@jud6.org) to cancel any hearings or trials that may have been scheduled, notating CANCELLATION in the email subject line and the dates/times of the hearings or trial.

**MOTIONS DECIDED WITHOUT HEARING:** See Administrative Order 2015-056 PA/PI-CIR.

**DEFAULTS:** If a party has been defaulted, that party still must be served with pleadings, etc.

## **TRIAL PREFERENCES**

Please follow the guidelines as set forth in the applicable uniform Order Setting Jury (or Non-Jury) Trial and Pre-trial Conference. See Administrative Orders 2013-064 PA/PI-CIR and 2013-078 PA/PI-CIR.

**PRE-TRIAL:** Discovery cut-off is found in the Order Setting Jury Trial and Pre-trial Conference. The parties will submit to the Court a uniform Pre-trial Conference Order agreed upon by the parties. Read and comply with all the deadlines and other requirements in this Order. All provisions will be strictly enforced.

The Court requires personal attendance at the pre-trial conference by all attorneys and pro se parties. Attendance by an attorney who will be at the trial of the matter is required. The Court **does not** allow telephone appearances at the pre-trial conference.

**MOTIONS IN LIMINE:** Motions in Limine **must** be heard prior to trial. Any anticipated Motions in Limine or Motions for Summary Judgment should be scheduled **EARLY**. Everyone is aware of the increase in volume of cases in the civil division and the difficulty in obtaining hearing times at the last minute. Motions not heard are waived. Failure to hear such motions is not a basis for a continuance.

**VOIR DIRE:** The entire jury panel will be seated in the gallery. A seating chart with jurors' names will be provided to the attorneys/pro se parties. The Court will initiate voir dire questions and then attorneys/pro se parties will follow with their inquiry. The time limit for voir dire will be discussed at the pre-trial conference.

**PEREMPTORY CHALLENGES:** Generally 3 per party with total for plaintiff to match total for defense.

**EVIDENCE AT TRIAL:** The Court prefers to have all items to be admitted into evidence by stipulation in 1 notebook, if possible. If there is any evidence that the parties do not agree on, the Court will consider it as it comes up at trial.

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

**CONTINUE JURY TRIAL:** Any request for a continuance of Jury Trial **MUST** be set for hearing even if a stipulation has been signed. If the Court does not have hearing time prior to the pre-trial conference, the continuance will be addressed at the pre-trial conference. Compliance with the Order Setting Jury Trial and Pre-trial Conference is still required including preparation of a proposed Pre-trial Conference Order.

**COURTROOM DECORUM:** Administrative Order No. 2015-052 PA/PI-CIR contains the Standards of Professional Courtesy and Implementation Procedures 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 the Court rules.

**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.

**NON-JURY TRIAL/FINAL HEARING:** If not a foreclosure case, a verdict form is required.

## **FORECLOSURES**

Administrative Order 2017-007 PA/PI-CIR contains the Mortgage Foreclosure Procedures for the 6<sup>th</sup> Circuit. **Review it carefully.** This Court is implementing Section III (B): Motions Decided on Written Submissions. Pretrial non-evidentiary matters will be decided without a hearing unless the Court desires a hearing, whereupon attorneys/pro se parties will be notified. For all pre-trial non-evidentiary matters which have not yet been set for hearing but have been filed, follow the procedures and time limits in Section III (B).

**To Cancel a Foreclosure Sale:** When a Motion to Cancel Sale is filed by Plaintiff, this does not require a hearing but MUST comply with the Administrative Order. Submit the following to the Court by mail or hand delivery (not email or facsimile):

- Copy of the Motion
- Proposed Order
- Postage paid, addressed envelopes for all parties on service list

### **To Request and Set Foreclosure Cases for Non-Jury Trial:**

Once a Notice for Non-Jury Trial has been filed, please submit the following to the Court by **mail or hand delivery** (not email or facsimile):

1. Copy of the Notice for Non-Jury Trial (**indicating amount of time requested**)
2. Copy of Certificate of Compliance Verifying Readiness for Foreclosure Non-Jury Trial (See Administrative Order Administrative Order 2017-007 PA/PI-CIR)
3. Order Scheduling Non-Jury Trial with the date and time left blank, along with sufficient copies to provide one for each party on the service list, as well as stamped, addressed envelopes (See Administrative Order Administrative Order 2017-007 PA/PI-CIR)

Once the proposed Order is received, the Non-Jury Trial will be set for the next available date and time.

### **To Schedule a Hearing on a Foreclosure Motion for Summary Judgment:**

Email your request to [section15@jud6.org](mailto:section15@jud6.org). Put the case number and the style of the case in the subject line.

**TELEPHONIC HEARINGS WILL NOT BE PERMITTED ON MOTIONS FOR SUMMARY JUDGMENT. ALL ATTORNEYS/PRO SE PARTIES MUST APPEAR IN PERSON.**