

HONORABLE GEORGE M. JIROTKA
CIRCUIT CIVIL SECTION 15
PINELLAS COUNTY COURTHOUSE
315 COURT STREET, ROOM 421
CLEARWATER, FL 33756
(727)464-3636
section15@jud6.org

Judicial Practice Preferences
Circuit Civil
(Updated September 2020)

DUE TO THE COVID-19 PANDEMIC, HEARINGS WILL BE CONDUCTED BY ELECTRONIC MEANS UNTIL FURTHER NOTICE. WHEN HEARING TIME IS CONFIRMED, FURTHER INSTRUCTIONS WILL BE PROVIDED

IN ORDER TO PROVIDE YOU WITH THE BEST SERVICE POSSIBLE, THE COURT HANDLES ALL COMMUNICATION BY EMAIL

Counsel are encouraged to acquaint themselves with the Standards of Professional Courtesy for the Sixth Judicial Circuit [Administrative Order 2015-052 PA/PI-CIR](#) and the [Sixth Judicial Circuit Local Rules](#).

HELP FOR PARTIES WITHOUT ATTORNEYS

The Court/Judicial Assistant 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 are 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. Put the case number and the style of the case in the subject line in the following format: **17005555CI SMITH V SMITH**

Names of attorneys/pro se party

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

The date the pleading(s) were docketed with the Clerk

-hearing time cannot be given until the Motion is docketed with the Clerk

-do NOT attach the Motion to the email message

Requested amount of time for said hearing

Scheduling party, Plaintiff or Defendant

Upcoming court dates, if applicable

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

ALL MATERIALS TO BE CONSIDERED AT A HEARING MUST BE RECEIVED BY THE COURT AT LEAST 5 BUSINESS DAYS PRIOR TO THE HEARING DATE.

CANCELLING HEARINGS: A Notice of Cancellation must be filed with the Clerk and a copy emailed to the Court **before** a hearing is removed from the Court's calendar.

ADA LANGUAGE: Certain ADA language is required in all Notices of Hearing. Florida Rule of Judicial Administration 2.540 sets specific requirements regarding the ADA language in Notices of Hearing. The Sixth Circuit's latest issued Administrative Order on the subject: [Administrative Order 2018-041 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.

PROPOSED ORDERS: Proposed orders shall be submitted to the Court, not the Clerk, with a cover letter including the hearing date, if applicable, stating 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. The Motion, proposed Order (unstapled) along with sufficient copies (stapled) and stamped, self-addressed business size envelopes with counsel's return address thereon. **The orders must reflect the correct Court location (Clearwater, Pinellas County, Florida) and the judge's name below the signature line.**

DO NOT STAPLE THE INDIVIDUAL ORDERS TO THE ENVELOPES.

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.

DISMISSAL ORDERS:

Any such Motion, Notice or Order must indicate if the entire case is being dismissed or only certain Defendants; if only certain Defendants are being dismissed, the Order must indicate the names of those Defendants and that the case continues with the other Defendants.

JAWS: The JAWS website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx. Only **agreed/consent** orders shall be submitted through JAWS. You must also upload each order separately and an explanatory cover letter. All documents are to be uploaded in PDF format. It is the responsibility of the party uploading the proposed order to confirm all email addresses have been added to JAWS including for any pro se parties. **Electronically conformed copies will only be provided to the email addresses that have been associated to the case in JAWS. The Court and the Clerk DO NOT maintain the associated party database. If you have a problem with uploading, contact the JAWS Help Desk at (727)453-4357 or supportctr@pinellascounty.org.**

FINAL DISPOSITION FORM: Whenever a case is dismissed, with or without prejudice, a final disposition form must be filed pursuant to Florida Rule of Civil Procedure 1.100(c)(3). A final disposition form **MUST** be provided with all proposed final judgments.

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, courier 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 other than foreclosures) will normally **NOT** be held unless mediation is completed. The case must be mediated within **1 year** of the trial.

EMERGENCY/EXPEDITED HEARINGS: These motions must be titled as such and must be filed with the Clerk prior to submittal to the Court by courier or hand delivery for determination of emergency or expedited status. If granted, a hearing will be set for a date and time the Court chooses. If counsel for movant is not available at the time the Court chooses for hearing, then it is not an emergency. Opposing counsel/pro se party is to be provided with a copy of the Motion in the same manner as the Court, unless reasons for no notice are stated. If the Court is unavailable, the emergency or expedited request should go to the duty judge regardless of whether or not the duty judge is assigned to a Civil Section.

SUBSTITUTION OF COUNSEL/WITHDRAWALS: Pursuant to Florida Rule of Judicial Administration 2.505(e)(2), stipulations for substitution of counsel require the party's written consent. Stipulations for withdrawal of counsel require the party's written consent; any withdrawal order must include future service address information for the party.

MOTIONS FOR REHEARING AND RECONSIDERATION: Will not be set for hearing initially. **Submit a copy of the motion to the Court by mail, courier or hand delivery 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 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 Orders 2020-011 PA/PI-CIR](#) and [Administrative Order 2020-012 PA/PI-CIR](#). The following motions shall generally be considered by written submissions: **Motions to Compel, Strike, Extend Time, Dismiss, Involuntary Dismissal, Quash, Amend and Return of Original Documents, Take Judicial Notice, Stay, Reschedule Mortgage Foreclosure Sale, Continuance, Judicial Disqualification.**

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

TRIAL PREFERENCES

SECTION 15 - 2020 JURY TRIAL WEEKS

November 9 *4 day trial week, December 14

SECTION 15 - 2021 JURY TRIAL WEEKS

January 19 *4 day trial week, February 15, March 8, April 19, May 10, June 7, July 12, August 23, September 13 *4 day trial week, October 11, November 15, December 6 (potential 2 week trial), December 13

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 2019-025 PA/PI-CIR](#) and [2013-078 PA/PI-CIR](#).

SETTING A TRIAL: A Notice for Jury (or Non-Jury) Trial in compliance with Florida Rule of Civil Procedure 1.440 must be filed with the Clerk, served and a copy sent to the Court. The Notice should indicated the number of trial days sought. A Case Management Conference is NOT required unless trial dates cannot be agreed upon.

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 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. The Clerk or the Court will mark the exhibits as the exhibits are received in evidence. If there is any demonstrative evidence that will be presented at trial, the attorneys/pro se parties need to share that with each other prior to the day of trial.

CONTINUE JURY TRIAL: If a hearing is required and 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 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 arguments are to be directed to the Court. Examine witnesses from the podium. Do not argue after the Court rules.

TECHNOLOGY: Arrange for use of technology, including but not limited to video and Power Point prior to the first day of trial. To do so, call the Sixth Judicial Circuit IT Department at (727)464-5443.

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

MONTHLY JURY TRIAL CALENDAR:

Currently, AOSC 2020-23 limits in-person hearings. The Court can do a Non-Jury Trial by Zoom but certain requirements must be met. The parties, their attorneys and witnesses (who will have to be in front of a notary) all must be on Zoom. All exhibits will have to be marked, sent by mail, courier or hand delivery and received by the Court 5 business days prior to the hearing. Exhibits will NOT be accepted by email or during the Zoom hearing.

FORECLOSURES

Please visit the Sixth Judicial Circuit website at www.jud6.org for the latest information regarding foreclosure cases. The procedures established in [Administrative Order 2019-004 PA/PI-CIR](#) should be followed in mortgage foreclosure cases filed in Pinellas County. **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 that have not yet been set for hearing but have been filed, follow the procedures and time limits in Section III (B). An Order is required before issuance by the Clerk of a Writ of Possession; Writs of Possession may be considered ex parte by following the applicable procedures set forth in the Administrative Order.

To Cancel a Foreclosure Sale: Submit the following to the Court by mail, courier or hand delivery (not email or facsimile):

- Cover Letter
- Copy of the Motion (with blank for the reset date)
- Proposed Order
- Postage paid, addressed envelopes for all parties on service list
- Final Disposition Order
-

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, courier or hand delivery** (not email or facsimile):

1. Copy of the Notice for Non-Jury Trial (**indicating amount of time requested in the order**)
2. Copy of Certificate of Compliance Verifying Readiness for Foreclosure Non-Jury Trial
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

Once the Court receives these items, the Non-Jury Trial will be set for the next available date and time.

Currently, AOSC 2020-23 limits in-person hearings. The Court can do a Non-Jury Trial by Zoom but certain requirements must be met. The parties, their attorneys and witnesses (who will have to be in front of a notary) all must be on Zoom. All exhibits will have to be marked, sent by mail, courier or hand delivery and received by the Court 5 business days prior to the hearing. Exhibits will NOT be accepted by email or during the Zoom hearing.

Ordering Mortgage Foreclosure Files:

It is the attorney/pro se party's responsibility to request the hard copy court file from the Clerk's office if needed at trial at least ONE WEEK IN ADVANCE (failure to make prior arrangements will not be grounds for a continuance).

- Directions:
- 1) Send an email message to civilatty@mypinellasclerk.org
 - 2) Subject line: **"File(s) needed for foreclosure hearing"**
 - 3) Mark as **"High Priority"**
 - 4) Body of email: provide case number, style of case, date of hearing & what is required.

*If the original note and mortgage is required, please email the Clerk's office at foreclosures@co.pinellas.fl.us.