

FRANK I. GREY
COUNTY COURT JUDGE
COUNTY CIVIL SECTION 'U'/SMALL CLAIMS SECTION 'W' and COUNTY
ORDINANCE SECTION 18

Judicial Assistant: Lisa Schultz cocivw1@jud6.org
INSTRUCTIONS AND JUDICIAL PRACTICE PREFERENCES
7530 Little Road
New Port Richey, FL 34654
(727)815-7057

HELP FOR PARTIES WITHOUT ATTORNEYS:

The judicial assistant cannot answer your legal questions. Under Florida law she could be prosecuted for a first degree misdemeanor, unlicensed practice of law, were she to give you legal advice. Please do not ask her to answer legal questions.

The judge can only visit with you about your case in the courtroom in the presence of all the parties involved with the case. Please do not call the judge and expect to have a conversation with him or attempt to relay a message to him through the judicial assistant. If you want to bring a matter to the court's attention, put it in writing and file it with the Clerk of the Court under the case number you are calling about. Be sure to send a copy of the information to the opposing party.

TO SCHEDULE HEARINGS:

Due to COVID-19 all hearings are being conducted by telephone or Zoom video technology.

1. ZOOM HEARINGS:

The Judicial Assistant will provide a Meeting ID and password to include in the notice. If the hearing will be only via telephone, the Judicial Assistant will provide call-in information, including the conference call line.

Participants should adhere to the following guidelines for Zoom hearings:

- a. This is a court hearing. Dress as if you were attending court in person
- b. All rules that apply in the physical courtroom also apply during a remote video hearing.
- c. Send whatever exhibits you intend to introduce into evidence to both the Court and to opposing counsel well in advance of the hearing (minimum of 7 days) and that includes documents, photos and videos. Uploading exhibits to the E-Portal will include these documents in the court file. You can upload these documents through the State of Florida E-filing Portal at <https://www.myfloridacourtaccess.com/index.html> (to e-file you must open a free account with the Clerk, and there are instructions on the portal website, including Frequently Asked Questions, and other helpful information for that process). If you decide to exchange evidence entirely by paper, then you may prepare your case in the traditional fashion, with a binder of exhibits prepared and provided to all participants in advance of the hearing.

- d. It is suggested that you dress in a solid color; if a tie is worn, use a solid tie rather than one with a pattern.
- e. Be mindful of what is behind you; choose a solid neutral wall if possible. It is not appropriate to appear at a court hearing from a bedroom, back porch, poolside, etc. (note: Zoom video platform has a virtual background feature that may be used, but you should choose something professional).
- f. Find a quiet place to participate in the hearing.
- g. Limit distractions during your hearing. Do not complete other tasks during your hearing. Put all pets in another room. Children should be supervised elsewhere by another responsible adult during the hearing. Just like an actual courtroom, you must pay attention so you do not miss something important that is said or required of you.
- h. When speaking, remember to look directly at the webcam, not at the screen.
- i. Position the camera at your eye level or slightly above eye level.
- j. Check the lighting. Light from a window behind you might blind the camera, making you look dark. Light above you in the center of a room might also cast shadows. Ideally, position a lamp, or sit facing a window, where light is directly on your face. Also, be aware that your monitor casts light that can make you look blue.
- k. Speak slowly and clearly, in the event the host is recording the proceedings.
- l. Speak only when requested to do so. Always speak one at a time and pause prior to speaking in case there is any audio/video lag.
- m. Mute your microphone when you are not required to speak.
- n. Never share your personal meeting ID with a nonparticipant. If a member of the public or other non-participant wishes to attend video hearings, he/she must contact the judge's office and request an invitation to participate in the hearing. If the proceeding is open to the public, the hearing invitation will be provided. However, non-parties will not be permitted to participate in the hearings.
- o. For small claims mediations parties shall ensure that no one else is present with or can hear mediation discussions as all small claims mediations are confidential, and may not be recorded in any fashion.
- p. All phones must be turned off unless being used for Zoom, and then only during such time as you are participating.

2. PROPOSED ORDERS:

Please submit all proposed orders via the JAWS Portal. It is important to make sure that all associated party e-mails are connected to the case in order for everyone to receive a conformed copy of the order. In the event you do not have a pro se litigant's e-mail the conformed order and attachments such as fact information sheets need to be mailed and a follow up certificate of service should be filed through the e-portal. Pro se litigants may file all orders with the Clerk of the Court.

3. SMALL CLAIMS PRETRIALS:

A Stipulation Invoking the Rules of Civil Procedure and Waiver of Pretrial Conference must be submitted via the JAWS portal 48 hours **PRIOR** to the Small Claims date to ensure that the stipulation will be docketed prior to the hearing.

All requests for continuances shall be done in the form of a written motion to the Court. Please include in the motion a description of your attempts to contact the opposing party and whether they agreed or objected to the continuance.

4. ORDERS IN COLLECTION CASES MUST CONTAIN THE FOLLOWING LANGUAGE:

IT IS FURTHER ORDERED and ADJUDGED that within 5 days from the date of service of this Judgment, the Plaintiff shall:

1. Furnish a copy of this Judgment to each self-represented party by U.S. Mail, first class, postage paid; and
2. File a certificate signed by Plaintiff's counsel that delivery of this Judgment has been made forth herein.

If you are submitting an Agreed Order please make sure "Agreed" is in the title of the order and advise the Court that there was no objection by opposing counsel in your cover letter.

In the event that opposing counsel is objecting to the submission of your proposed order, please submit a HARD COPY of the order along with a cover letter advising the judge that an opposing order will also be submitted by opposing counsel.

In cases where a hard copy of a proposed order needs to be submitted to the judge's office please make sure that there are copies for each party along with postage paid envelopes with the senders return address.

5. MEDIATION:

ALWAYS required before trial.