



**HONORABLE REBECCA L. HAMILTON**

**Family Law Division Section 17  
545 1<sup>st</sup> Avenue North, Room 412  
St. Petersburg, FL 33701**

[Section17@jud6.org](mailto:Section17@jud6.org)

## **JUDICIAL PRACTICE PREFERENCES**

*Dignity and Respect are the watchwords of professional practice. Every person should treat everyone involved with dignity and respect.*

### **COVID PROCEDURES**

**MOST HEARINGS BEFORE JUDGE HAMILTON WILL BE CONDUCTED VIA ZOOM, EXCEPT THAT, IN-PERSON HEARINGS WILL BE CONDUCTED FOR MATTERS SCHEDULED BY THE JUDGE DURING OPEN COURT AND FOR MOST MOTIONS FOR CONTEMPT, PRETRIAL CONFERENCES AND FINAL HEARINGS.**

### **JAWS (Judicial Automated Workflow System)**

#### **\*\*\*JAWS per the directive of the Florida Supreme Court\*\*\***

**ALL attorneys handling a case in Section 17 should affiliate themselves with their cases on the Judicial Automated Workflow System (JAWS). Attorneys must add the known e-mail addresses for the opposing counsel, if the party is represented, or the Pro Se party, if not represented. The Court prefers (whenever possible) to render its orders electronically via JAWS. JAWS contains a tutorial to assist system users.**

**Please do not contact the Judicial Assistant for help with JAWS access or usage.**  
<https://www.jud6.org/legalcommunity/JAWS/howto.html>

**IF YOU DO NOT HAVE A LAWYER: If you are self-represented, the following information may be helpful:**

The Clerk of Court has a Self Help Program for self-represented (pro se) litigants. Contact information is available at: <https://www.mypinellasclerk.org/Home/Family>

The Clerk of Court has several self-help Videos available to watch at:  
<https://www.mypinellasclerk.org/Forms#660206-videos>

The Clerk of Court has several Family Law forms which are provided free of charge to the public to assist them with interactions with the Court. The forms are available for download or print at: <https://www.mypinellasclerk.org/Forms>

In addition, the Sixth Judicial Circuit has a number of Locally Approved Family Law Forms which may be found on the [www.jud6.org](http://www.jud6.org) website under the tab “Representing Yourself in Court”. <https://www.jud6.org/GeneralPublic/RepresentingYourselfInCourt.html>

Approved Family Law Forms can also be found at <https://www.flcourts.org/>

Helpful Contact numbers and addresses:

Pinellas County Courthouse:

Telephone: **(727) 464-5150**

Address: 315 Court Street Clearwater, FL 33756

St. Petersburg Judicial Building:

Telephone **(727) 582-7941**

Address: 545 1st Avenue North St. Petersburg, FL 33701

Other legal services:

Lawyer referral services through the Clearwater Bar Association (727-461-4880)

Gulfcoast Legal Services: (727) 443-0657) in Clearwater (727) 821-0726 in St. Petersburg

Bar Area Legal Services: (800) 625-1757

Community Law Program: (727) 582-7480

St. Petersburg Bar Association: (727) 821-5450

### **COMMUNICATION WITH THE COURT:**

**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.**

All communications can typically be handled by e-mail to our office at [section17@jud6.org](mailto:section17@jud6.org).

All parties involved in a case must be copied on any correspondence or communication to the Court.

### **DOCUMENTS TO BE CONSIDERED:**

**ALL DOCUMENTS TO BE CONSIDERED AT HEARING MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA U.S. MAIL OR HAND-DELIVERY. THE DOCUMENTS SHOULD BE IN A BINDER, TABBED APPROPRIATELY, AND DELIVERED WITHIN A MINIMUM OF THREE (3) BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.**

**DOCUMENTS THAT ARE HAND-DELIVERED TO THE COURTHOUSE MUST BE RECEIVED BY 9:00AM THREE (3) BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.**

**DOCUMENTS RECEIVED AFTER THE SPECIFIED TIME ARE NOT GUARANTEED TO BE ACCEPTED BY THE COURT.**

**E-MAILING OF DOCUMENTS WILL NOT BE ACCEPTED, EXCEPT THAT PHOTOS AND VIDEOS MAY BE EMAILED OR SENT VIA DROP-BOX.**

**THE COURT WILL NOT TAKE JUDICIAL NOTICE OF EXHIBITS IN THE COURT FILE, ALL EXHIBITS MUST BE HANDLED IN ACCORDANCE WITH THE ABOVE INSTRUCTION.**

### **SCHEDULING A HEARING:**

Section 17 utilizes the JAWS system for scheduling hearings. The available hearing dates and times are posted on JAWS. Hearings being scheduled that are fifteen (15) or thirty (30) minutes in duration may be directly requested via JAWS at:

[https://jawspinellas.jud6.org/jaws\\_attorney/login.aspx](https://jawspinellas.jud6.org/jaws_attorney/login.aspx)

Please select the option entitled “**Section 17 – Hamilton**” to request your hearing date and time.

**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.**

Hearings more than thirty (30) minutes in duration cannot be directly scheduled on JAWS. The Judicial Assistant should be contacted to obtain a hearing date.

All hearings that are forty-five (45) minutes or more in duration require a short Case Management Conference with the Judge via Zoom or telephone, prior to obtaining a hearing date, for the purpose of discussing with the Judge the matters to be heard and to determine the appropriate amount of hearing time necessary. The CMC may be scheduled directly on JAWS.

Once a hearing has been scheduled, a courtesy copy of the Notice of Hearing and motion(s) should be sent to the Judicial Assistant via e-mail at [section17@jud6.org](mailto:section17@jud6.org).

Additions/Changes: A party seeking to change the matters previously scheduled to be heard, or to delete or add a matter/motion to the hearing, must obtain agreement from opposing counsel and/or the pro se party; otherwise, the hearing matters may not be changed and a separate hearing will need to be scheduled. If the parties are in agreement to the change, the Judicial Assistant must be notified by email that all parties are in agreement to the change and the party shall then file an Amended Notice of Hearing, specifying within the amended notice the nature of the amendment and that the parties are in agreement with the specified change.

Uncontested Final Hearings: Cases that have been fully resolved, or matters that are uncontested by any party and to which a written stipulation has been filed, may be scheduled for 15 minutes on the Friday morning calendar, which is reserved solely for uncontested matters. These hearings may be scheduled on JAWS. If a matter comes before the court on the Friday morning calendar and there remains any unresolved issues or required documents have not been filed, it will not be heard and a new hearing will be scheduled.

Case Management Conferences: All case management conferences must be set for thirty (30) minutes and may be scheduled on JAWS.

**CANCELING A HEARING:**

To cancel a hearing without permission of the Court:

All parties must be in agreement to cancel **and** one of the following documents must be filed:

- a signed stipulation agreeing to cancel/continue the hearing; or
- a signed stipulation that the matter has been resolved; or
- a notice that the motion has been withdrawn.

Accordingly, a hearing cannot be unilaterally canceled and the hearing shall go forward unless/until the parties have complied with the above.

If the parties have agreed to cancel the hearing after complying with the above, the Notice of Cancellation must be filed and a courtesy copy of the Notice provided to the JA.

If all parties are not in agreement to cancel the hearing, then the hearing shall proceed, as scheduled, and the matter of the cancellation will be heard at the start of the scheduled hearing.

### **MOTIONS:**

Motions must be e-filed with the Clerk of the Court and a copy provided to opposing counsel/self-represented party prior to scheduling a hearing. Motions requiring a hearing time of forty-five (45) minutes or more require a short case management conference or telephone conference with the Judge. After the case management conference, you may contact the Judicial Assistant at [section17@jud6.org](mailto:section17@jud6.org) to obtain available dates/times. Several options for dates/times will be provided to aid in coordinating an agreed-upon hearing date.

Hearing times are not reserved and the calendar fills quickly. Once the Judicial Assistant is notified by counsel/self-represented party of the agreed-upon date/time, the hearing will be scheduled. Please do not file a Notice of Hearing until you receive confirmation from the JA that the hearing is scheduled.

### **CROSS-NOTICING/ PIGGYBACKING:**

Cross-Noticing a motion upon another party's hearing time is **STRICTLY PROHIBITED**. If you cross-notice, your motion will not be heard, unless agreed to by the Court and opposing party and time permits. Additional time will not be permitted to address a cross-noticed/piggybacked motion during a previously scheduled hearing time block and the cross-noticed/piggybacked motion will be required to be set for a separate hearing.

### **NOTICES OF HEARINGS:**

When a hearing has been confirmed, a written notice of hearing must be sent to opposing party and filed with the Court. \*For Self-Represented Litigants, see bottom of this document for an example of a Notice of Hearing. All notices of hearing should include a statement indicating the date, time and method of how each party (regardless of if represented by counsel or self-represented) agreed to the scheduling of the hearing and should certify the date and method of service made upon all parties, in accordance with Rule 2.516, Fla. R.

Jud. Admin. **ALL NOTICE OF HEARINGS ARE TO INCLUDE THE EXACT NAME OF THE MOTION(S) AND THE DATE THE MOTION(S) WERE FILED.**

**EMERGENCY/EXPEDITED MOTIONS:**

All Emergency or Expedited Motions must be filed with the Clerk of Court prior to the Court determining emergency or expedited status. **PLEASE NOTE** that the Court does not receive motions through the Portal. You must notify the Judicial Assistant via e-mail at [section17@jud6.org](mailto:section17@jud6.org) that an emergency and/or expedited motion has been filed. The Court will review the motion to determine the appropriate course of action and will notify the attorney/party who filed the motion.

**MOTIONS ON TEMPORARY ISSUES:**

See Administrative Order 2011-006 PA/PI CIR. All temporary motions must be mediated prior to a hearing being held. Once a party has a mediation date, a hearing time can be reserved for soon after the mediation date. Emergency Motions for temporary relief may be an exception, so you need to e-mail the Judicial Assistant in this regard via [section17@jud6.org](mailto:section17@jud6.org).

**SETTING PRE-TRIALS and NON-JURY TRIALS:**

Pre-trial Conferences and Non-Jury Trial requests will be set after a Case Management Conference with the Judge. When scheduling this, indicate that you are scheduling this CMC hearing in order to schedule Pre-trial and/or Trial time. Judge Hamilton schedules all her Pre-trial and Trial time. The Court will enter an Order Setting Pre-Trial Conference which requires the parties to draft and file an appropriate Pre-Trial Memorandum – including exhibits such as a proposed Equitable Distribution Worksheet, Proposed Parenting Plan, Proposed Child Support Guidelines, Witness List, Exhibit List, and other documents - in advance of the Pre-Trial Conference.

**ADOPTION HEARINGS:**

Adoption files are reviewed by the Court's Staff Attorney. Before a hearing can be scheduled, the Staff Attorney reviews the file and only after the Staff Attorney indicates that the matter is ready for a Final Hearing, can the Judicial Assistant schedule it. If you would like a Final Hearing, and you have not heard from the Staff Attorney, contact the Judicial Assistant who will check with the Staff Attorney, and if everything is in order, will contact your office to schedule the same.

### **PROPOSED ORDERS:**

All agreed upon proposed Orders /Judgments may be uploaded to JAWS and will be signed by Judge Hamilton's electronic signature. With that uploaded Order, must be a cover letter which MUST state that the opposing counsel or party has agreed with the form and content or that at least five (5) days have passed since the proposed order was sent to the opposing party and no objections have been received. All Orders must be uploaded as PDF documents.

If there are objections regarding the content and form of an Order or Judgment, each party must promptly submit an Order with an explanatory letter to [Section17@jud6.org](mailto:Section17@jud6.org) . The submitted Order should be sent in Word form.

**All Orders/Judgments submitted through JAWS must include contact information uploaded into JAWS for all parties.**

### **PARENTING CLASSES:**

All persons required to take a 4-hour parent education and family stabilization course pursuant to § 61.21, Fla. Stat., may attend the parenting class online or via distance learning without need of any motion seeking, or order granting, permission to do so.

### **MEDIATION:**

Pursuant to Administrative Order 2006-062 PI-CIR all initial hearings on temporary relief matters in original petitions shall be automatically referred to mediation prior to having a hearing on the matter. In addition, all post-judgment matters shall be automatically referred to mediation prior to having a hearing. Parties may contact section 17 via e-mail if not automatically referred to mediation. Once mediation is scheduled, a hearing may be set on the Court's calendar to occur after the mediation.

If the opposing party has not yet filed their required Financial Affidavit with the Court, the party requesting a referral for mediation may complete and file an Affidavit for Establishing Mediation Fees to assist in determining if the parties qualify for assignment of a mediator at a reduced cost through the Circuit's Family Mediation Services program.