

**JUDICIAL PRACTICE PREFERENCES
CIVIL SECTION 7**

Patricia A. Muscarella, Circuit Judge

Updated April 12, 2021

315 Court Street, Room 423

Clearwater, FL 33756

Jodie Padoll, Judicial Assistant

727-464-3263

section7@jud6.org

SECTION 7 2021 JURY TRIAL SCHEDULE

January 11, February 8, March 15, April 5, May 3, June 1 (Tuesday start date-4 day trial week), July 6 (Tuesday start date-4 day trial week), August 9, September 8 (Wednesday start date-3 day trial week), October 4, November 1, December 6 and 13 (potential 2 week trial)

SECTION 7 2022 JURY TRIAL SCHEDULE

January 10, February 7, March 7, April 4, May 23, June 6, July 11, August 8, September 6 (Tuesday start date – 4 day trial week), October 10, November 7 (4 day trial week), December 5 and 12 (potential 2 week trial)

Jury selection is on the first Monday of the jury trial docket.

Jury selection is on the first Tuesday of the jury trial docket for the weeks of June 1, 2021 and July 6, 2021. Jury selection for September 8, 2021 jury trial docket will be on Wednesday.

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CIVIL DIVISION SECTION 7 PRACTICE PREFERENCES

SECTION 7

SIXTH JUDICIAL CIRCUIT

PREFERENCES FOR COVID-19 TRIAL PROCEDURES IN PHASE 2

Prospective Jurors

- Jurors will be pre-screened via a questionnaire upon being summoned. This questionnaire will include all of the statutory disqualifications as well as hardship, COVID-19 and general questions that would be normally asked in civil cases.
- A maximum of 30 jurors can be socially distanced in Courtroom A, Clearwater Courthouse and Courtroom M, St. Petersburg Courthouse.
- Panel will consist of 6 jurors, if possible two alternates will also be chosen. If alternates are unable to be seated, the trial will proceed with 6 jurors.
- Jurors will be seated 6 feet apart in the gallery. Jurors will not be seated in the jury box for voir dire.
- Trials cannot exceed 5 days or may result in a mistrial.
- Joint trial notebooks to be used to the extent possible.

Voir Dire

- Limitation of 45 minutes for Plaintiff and Defendant.
- Attorneys will question the panel from respective podiums.
- Sidebars will be in the hallway or an outer room, if available. Because of the time required to assemble for a side bar, they should be requested only when essential
- Sidebars will not occur at the bench.

Attorneys

- Face masks are to be worn at all times.
- Seating at counsel table is limited to three people, i.e. attorney(s) and client or attorney, client and one other person.
- Recommend that attorneys use video deposition whenever possible.
- Each side is responsible for the following for any participant that enters the Courthouse on their side:
 - Ensure each person entering the Courthouse has a face mask.
 - Witness to have face masks provided by counsel. Face shields are for witnesses, are for one time use only and used only while they are testifying.
- Counsel is responsible to bring hand sanitizer and wipes for sanitizing their counsel table, the podium and witness stand after use. **DO NOT CLEAN THE PLEXIGLASS PARTITIONS.**
- Witnesses are to wait outside in the main lobby in the Clearwater and St. Petersburg courthouses, remaining socially distant, and will be called or texted by counsel when needed to testify and may enter the courtroom at that time.
- Attorneys must provide new, unused pens and new, unused note pads for the jurors. The pens and note pads should be placed in an adequately sized envelopes to allow the individual juror to remove/reinsert the pen and note pad when not in use.
- Remain at podium when questioning witnesses.
- Required to ensure all participants have been screened for COVID-19 and ensure that the participants have not had any of the following symptoms, excluding those due to a medical reason other than COVID-19. **Each day** counsel is to ask the following question of each participant:
 - Fever of 100.4 degrees or more

- Cough
- Shortness of breath
- Fever or chills
- Fatigue
- Muscle or body aches
- Headache
- Sore throat
- New loss of taste or smell
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- Has experienced symptoms of COVID-19 in the past 14 days
- Has had close contact with someone with a COVID-19 diagnosis or is awaiting COVID-19 test results within the past 14 days
- Is currently awaiting test results to determine if the participant has COVID-19
- Is otherwise under instruction to self-isolate or quarantine due to COVID-19

Exhibits and evidence

Exhibits and documentary evidence submitted during a trial will be received by the Deputy Clerk assigned to the trial. It is the choice of the Deputy Clerk whether or not to wear gloves. All exhibits and documentary evidence that is admitted into evidence, shall be provided to the jury prior to deliberations. Gloves will be provided for jurors for handling of any exhibits or evidence.

Any party may pre-file the evidence for trial with the Clerk, via e-filing. Parties using this method must be certain to file the documents at least five days prior to the trial to ensure the documents are received and processed by the Clerk prior to the hearing.

Parties are encouraged to prepare a **JOINT TRIAL NOTEBOOK** for exhibits to be admitted into evidence without objection. The evidence should be pre-marked in advance of its intended use by counsel.

Suggested timetable for jury trials

-
- 8:15-9:00 Attorneys report-set up, test technology.
- 8:30-9:00 Juror Report-Brief orientation, jurors paid, jurors sworn in.
- 9:00-9:15 Judge Appears-preliminary juror questions.
- 9:15-10:15 Attorney #1 questions panel.
- 10:15-10:30 Break-allows cleaning of jury area, door knobs, etc.
- 10:30-11:30 Attorney #2 questions panel.
- 11:30-noon Judge and attorneys meet to narrow panel to 8 jurors (6 jurors and 2 alternates).
- Noon-12:15 Jury Panel is seated, remaining jurors are dismissed.
- 12:15-1:45 Lunch (Facility staff resets room).
- 1:45 Trial starts.
- After the first day:
 - 8:15-9:00 Attorneys report-set up, test technology

- 8:45 Jurors report
- 9:00 Jurors are seated
- 9:00 Judge takes the Bench
-

Trials must conclude by Friday of that week or a mistrial will be declared

COURTROOM TECHNOLOGY

The circuit has available, audio/visual equipment for the presentation of multimedia based evidence at all locations within the circuit. This equipment consists of both built-in and mobile equipment and includes items such as projectors, screens, HD displays, document cameras, DVD players, laptop interfaces, and wireless presentation equipment. These systems allow litigants to present various forms of multimedia base information in the courtrooms. All of the equipment is available at no charge on a first come, first served basis. Some systems and equipment will require training prior to usage, and training is available for all the equipment provided by the Sixth Judicial Circuit. Please be sure to arrange training requests a minimum of 72 hours prior to your proceedings.

To schedule training on AV equipment, or discuss your presentation needs, please call the Court technology Office-Video Operations at (727) 453-7928.

The following courtroom technology is available at 315 Court Street, Clearwater, FL 33756

All Courtrooms	Large HD Displays, Laptop Interfaced DVD Players. Document Cameras, Video Tele-Conferencing, *Wolfvision Cynap Core wireless presentation, Assisted Listening Devices, Digital Court Reporting.
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HELP FOR PARTIES WITHOUT ATTORNEYS

The Judicial Assistant CANNOT answer legal questions, or “explain” things to the Judge. Your opportunity to speak to the Judge happens in Court only. The Clerk of the Court has a Self Help Program for self-represented litigants in the Pinellas County Courthouse in Clearwater. Gulfcoast Legal Services can be reached in Clearwater (727) 443-0657 or St. Petersburg (727) 821-0726. Bay Area Legal Services is available at 1-(800)-625-2257. Lawyer referral services of the Clearwater and St. Petersburg Bar Associations are at (727) 461-4880 and (727) 821-5450 respectively.

Counsel are encouraged to acquaint themselves with the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015-052](#) and the [Sixth Judicial Circuit Local Rules](#).

ALL DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING (NOT EMAIL).

PLEASE DO NOT FILE THE NOTICE OF HEARING UNTIL YOU RECEIVE A CONFIRMATION EMAIL FROM JAWS THAT THE HEARING HAS BEEN SCHEDULED. YOU SHOULD REVIEW THE "ADDITIONAL NOTES" IN THE CONFIRMATION FOR ANYTHING THAT IS TO BE INCLUDED IN YOUR NOTICE OF HEARING.

TELEPHONIC HEARINGS:

Unless otherwise approved by the Court, hearings will be telephonic. Generally, telephonic hearings may be set for any hearings 1 hour or less, by using the Judge's conference line - see below. **PLEASE DO NOT GENERATE A NOTICE OF HEARING UNTIL YOU RECEIVE CONFIRMATION VIA JAWS THAT IT HAS BEEN SCHEDULED.**

- **FOR CASE MANAGEMENT CONFERENCES (CMC):** AFTER YOU RECEIVE CONFIRMATION FROM JAWS THAT IT HAS BEEN SCHEDULED, PLEASE EDIT OUR ORDER TO APPEAR FOR TELEPHONIC CASE MANAGEMENT CONFERENCE (**EXHIBIT 1**) WITH THE CASE NUMBER, CASE STYLE, THE DATE AND TIME OF THE HEARING AND THE SERVICE LIST AND UPLOAD IN JAWS. **IF THERE IS A PRO SE PARTY ON THE SERVICE LIST, THE COMPLETED ORDER TO APPEAR FOR TELEPHONIC CASE MANAGEMENT CONFERENCE MUST BE MAILED TO THE JUDGE ALONG WITH SUFFICIENT COPIES OF THE ORDER AND POSTAGE-PAID ENVELOPES FOR ALL PARTIES.**

The Notice of Hearing should state the following: THE HEARING IS TELEPHONIC AND ANY PARTY WHO WANTS TO PARTICIPATE IN THE HEARING IS TO CALL (425) 436-6328 AND ENTER ACCESS CODE: 480278#. NOTE: PLEASE MUTE ON YOUR END. DO NOT PLACE ON HOLD OR EVERYONE WILL ONLY HEAR MUSIC. ALL DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER (NOT EMAIL) AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

- **FOR HEARINGS 1 HOUR OR LESS:** **The Notice of Hearing should state the following:** THE HEARING IS TELEPHONIC AND ANY PARTY WHO

WANTS TO PARTICIPATE IN THE HEARING IS TO CALL (425) 436-6328 AND ENTER ACCESS CODE: 480278#. NOTE: PLEASE MUTE ON YOUR END. DO NOT PLACE ON HOLD OR EVERYONE WILL ONLY HEAR MUSIC. ALL DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER (NOT EMAIL) AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

- **FOR UMC HEARINGS (5 minute hearings that are on a mass docket):** **The Notice of Hearing should state the following:** THE HEARING IS TELEPHONIC AND ANY PARTY WHO WANTS TO PARTICIPATE IN THE HEARING IS TO CALL (425) 436-6328 AND ENTER ACCESS CODE: 480278#. NOTE: PLEASE MUTE ON YOUR END. DO NOT PLACE ON HOLD OR EVERYONE WILL ONLY HEAR MUSIC. ALL HARD COPIES OF DOCUMENTS TO BE CONSIDERED MUST BE RECEIVED BY THE JUDGE'S OFFICE VIA US MAIL/FEDEX/UPS/COURIER (NOT EMAIL) AT LEAST 5 BUSINESS DAYS PRIOR TO THE SCHEDULED HEARING.

ZOOM HEARINGS:

Generally, ZOOM hearings may be set for hearings scheduled for an hour or longer. For ZOOM hearings, please make sure when you are requesting a hearing date in JAWS, you include that you would like for it to be via ZOOM. Once we have confirmed the hearing in JAWS, we will email the ZOOM invitation with the ZOOM details **ONLY** to the scheduler's email address provided in JAWS. The scheduler will be responsible for forwarding the ZOOM invitation to the parties and generating the Notice of Hearing with all the ZOOM information. The Zoom invitation sent to the scheduler will have instructions included. **PLEASE DO NOT GENERATE A NOTICE OF HEARING UNTIL AFTER YOU RECEIVE THE ZOOM INVITATION.**

For more information regarding ZOOM hearings and protocol, please visit the Sixth Judicial Circuit's website at: www.jud6.org

SETTING TRIALS:

To set or continue Jury or Non-Jury Trials, please file the appropriate motion and set for a telephonic Case Management Conference. Generally these are 15 minute hearings and scheduled via JAWS.

Please refer to CMC's on the previous page under telephonic hearings.

MOTIONS:

- **Motions to Compel and all Motions Decided on Written Submissions:** All parties will follow [ADMINISTRATIVE ORDERS 2020-011](#) and [2020-012](#) even when requesting a hearing. The Judge may set a hearing at the court's discretion.

IF A PARTY IS REQUESTING A HEARING, follow the A.O. and when submitting the package to the Judge, the cover letter should state which party is requesting a hearing. The package should include the cover letter, copies of the Notice of Request for Court to Consider Motion Based on Written Submissions Without Hearing, Motion, Response to the Motion and Proposed Order with sufficient copies of the order and postage-paid envelopes for all parties. **PLEASE NOTE, IF NOT IN COMPLIANCE WITH THE A.O., THE MOTION WILL BE RETURNED TO YOU.**

(1) No sanctions will be awarded ex parte. (Use form of order provided by the above AO).

(2) *With Hearing:* per Local Rule 5 [Sixth Judicial Circuit Local Rules](#). Motions shall quote in full each interrogatory, question on deposition, request for admission or request for production to which the motion is addressed, and the objection and grounds therefor as stated by the opposing party.

Parties may, by stipulation only, waive hearing on other non-evidentiary motions and request the court to rule on written submissions alone. Conversely, parties may by stipulation, or motion, request oral argument on any motion otherwise subject to this procedure. The court will consider such requests without hearing, after the proper submittals as outlined above and in A.O 2020-011, 2020-012 and will advise the parties if a hearing should be scheduled.

JAWS:

- **Setting Hearings.** All hearings are to be scheduled by the moving party in JAWS. The website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx. Please select the "Section 7 – Muscarella" calendar to schedule your hearing. Hearings of 15 minutes, 30 minutes or 1 hour may be scheduled directly through JAWS. **PLEASE DO NOT FILE THE NOTICE OF HEARING UNTIL YOU RECEIVE A CONFIRMATION EMAIL FROM JAWS THAT THE HEARING HAS BEEN SCHEDULED. YOU SHOULD REVIEW THE ADDITIONAL NOTES IN THE CONFIRMATION FOR ANYTHING THAT IS TO BE INCLUDED IN YOUR NOTICE OF HEARING.**

ALL AVAILABLE HEARING TIMES FOR 15 MINUTES, 30 MINUTES OR AN HOUR WILL BE POSTED IN JAWS SO PLEASE DO NOT CALL THE JA FOR OTHER HEARING DATES UNLESS YOUR MOTION IS AN EMERGENCY, FOR MORE THAN 1 HOUR, OR IF DIRECTED BY JUDGE MUSCARELLA.

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. If self-represented and have not given permission to use their email for service, then all pleadings and order should be sent by US Mail. **Failure to comply with this procedure can result in cancellation of your hearing.**

- **Cancelling Hearings. Filing a Notice of Cancellation does not cancel a hearing with Judge Muscarella.** Hearings that you schedule in JAWS can also be cancelled by you in JAWS for up to 24 hours prior to the hearing. If your hearing is less than 24 hours away, both parties must agree to cancel the hearing and then call or email the JA to cancel your hearing.
- **AGREED ORDERS: Only AGREED orders** can be uploaded in JAWS. Please upload an explanatory cover letter along with proposed agreed orders on JAWS for Judge Muscarella's electronic signature. All documents are to be uploaded as PDF documents.
- Any orders that have blanks to fill in will be rejected in JAWS. These must be mailed to the Judge.
- **PROPOSED ORDERS AFTER HEARING:** As provided by the Standards of Professional Courtesy for the Sixth Judicial Circuit [ADMINISTRATIVE ORDER 2015-052](#) proposed orders shall be submitted to the Judge **with a cover letter** stating whether opposing counsel agrees to the proposed Order – or, that opposing counsel was given the opportunity to object to the proposed Order, but did not. Transmittals of proposed orders should always reference the date of hearing. Any orders that have blanks to fill in will be rejected in JAWS. These must be mailed to the Judge
- If the parties cannot agree on a proposed order they should submit their own orders to the court by US Mail with a cover letter stating their objections.
- **CASES WITH PRO SE PARTIES:** Orders for cases with a pro se party, will be rejected in JAWS. These must be mailed to the Judge, with a cover letter and sufficient copies of the order and postage-paid envelopes for all.

INSTRUCTIONS TO UPLOAD IN JAWS:

JAWS submissions of **AGREED** orders to the court should consist of two uploads:

1. The order or judgment to be reviewed and signed, ***and nothing else***, goes in **one** location.
2. 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.**

- 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.*
- Do not submit proposed orders on JAWS in advance of a scheduled hearing unless specifically requested by the Judge.

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. The JA and the clerk DO NOT maintain the associated party data base.

OTHER MOTION PRACTICE:

Emergency Motions. When attorneys e-file an emergency motion, the documents will be processed by the Clerk and will appear on the case docket in Odyssey faster.

However, the Clerk does not forward them to the Judge's office and accordingly, the Judge and JA are not aware of the filing. It is the attorney's responsibility to contact the Judge's office and provide the Judge with a copy of the motion. Emergency motions will not be set for hearing on an emergency basis unless the court deems it to be an emergency.

Pro se emergency motions **only** are forwarded to the Judge's office by the Clerk.

Courtesy Copies of Motions. **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 (including any prior pleading to which a motion is directed) must be provided directly to Judge Muscarella, 315 Court Street, Room 423, Clearwater, FL 33756 via Hand/U.S. Mail/Fed Ex/UPS (**not email or fax**) to be received at least FIVE (5) business days prior to the hearing. **THIS IS THE RESPONSIBILITY OF THE PARTY SETTING THE HEARING. FAILURE TO COMPLY WITH THIS PROCEDURE MAY RESULT IN CANCELLATION.** Originals should be filed with the Clerk. Copies provided to the court will be presumed to be courtesy copies. Please break up lengthy submissions into subparts (cases, exhibits, etc.) that are stapled or otherwise divided separately.

PLEASE DO NOT EMAIL DOCUMENTS TO THE JA, THEY WILL NOT BE PRINTED UNLESS THEY WERE SPECIFICALLY REQUESTED.

Ex Parte Motions. Counsel seeking consideration of a matter ex parte should always include courtesy copies of a motion and any supporting materials such as affidavits with their proposed orders, service copies, postage-paid envelopes, and an appropriate cover letter signed by a member of the Florida Bar, not a staff member.

Case Law. Paper copies of case law and other legal authority are welcomed by the court. Pertinent portions may be highlighted. Copies provided to the court (including any highlighting) shall be provided to opposing counsel before the start of the hearing.

Withdrawal or Substitution of Counsel. Rule of Judicial Administration 2.505 requires a “motion and hearing” for withdrawal of counsel. Judge Muscarella will forego a live hearing and deem this requirement adequately complied with if and only if, there is filed a Stipulation for Withdrawal **signed by both the client and all counsel.** The same rule requires that all substitutions of counsel be “signed off” by the client. Orders granting withdrawal must include the complete address, email and telephone number where future correspondence and pleadings may be sent to the client and state that if there is no counsel of record within 30 days, the party shall be deemed proceeding pro se. If the party is a corporation, the order must state that they must obtain counsel.

Motions for Rehearing/Reconsideration/New Trial. Provide the Judge with a copy of the motion. Do not schedule for hearing unless the court decides one is required. Opposing party may file a response within 15 days of service of the motion.

PRETRIAL AND TRIAL PRACTICE:

Scheduling Jury Trials. Upon the filing of a Motion or Notice to Set Case for Jury Trial, counsel must set a fifteen minute Case Management Conference on the calendar and complete the attached Order to Appear for Case Management Conference (**EXHIBIT 1**) and upload on JAWS as a PDF for the Judge’s signature. The Judge will set Pre-trial and Trial dates at the CMC. The parties will enter a Case Management Conference Order (**EXHIBIT 2**) with deadlines agreed to by the parties and uploaded to JAWS. These deadlines will supersede any deadlines in the Pre-trial and Jury Trial Order.

Order Setting Pretrial Conference and Jury Trial. The discovery cutoffs and deadlines provided by this order are binding, as are the provisions for counsel to meet to resolve minor evidentiary problems and to provide the court a proposed Pretrial Conference Order prior to the Pretrial Conference date. ([ADMINISTRATIVE ORDER 2019-25](#)). (**EXHIBIT 3**)

Motions to Continue Trial. Absent very good cause, such motions must be signed by the client, as provided by Rule 1.460, and will require a hearing even if stipulated to by counsel.

Motions in Limine. Time will normally be provided for motions in limine to be heard before the pretrial. Counsel will confer before that hearing so that only items actually in dispute will be put before the Judge.

Settlement. If your case is set for trial and settles, notify the J.A. immediately and also cancel any hearings that may be scheduled. **The mere filing of a settlement documents with the Clerk does not notify the court that a case set for trial has been resolved.**

Conduct of Trial Generally. Counsel will adhere to the Circuit’s Standards of Professional Courtesy [ADMINISTRATIVE ORDER 2015-052](#). Examine witnesses from the podium. There will be no speaking objections. That means objections should be three (3) words or less, simply stating the legal ground (e.g. “relevance,” “hearsay,” etc.) invoked, or if elaboration is necessary, counsel should approach the bench. All argument is to be directed to the court. Do not argue after the Court rules, and do not “thank” the Court for a ruling after a bench conference in the presence of the jury.

Voir Dire. Attorneys will inquire of the entire jury panel seated in the gallery. A seating chart with jurors’ names will be provided. The court will initiate voir dire questions and then counsel will follow with their inquiries.

Response From Counsel When Bailiff Brings Jury In. Counsel will stand.

MORTGAGE FORECLOSURE CASE PROCEDURE:

Please see [ADMINISTRATIVE ORDER 2019-004](#).

Foreclosure Motions. The following motions shall generally be considered on written submissions: Motions to Compel, Motions to Strike, Motions for Extension of Time, Motions to Dismiss, Motions for Substitution of Party Plaintiff, Motions to Substitute Counsel, Motions to Add Party. As provided by the AO, after being served with such motions, the nonmoving opposing party shall have 10 days to file any written response, after which the court may rule without further notice or hearing.

FORECLOSURE UMC HEARINGS: ALL FORECLOSURE UMC HEARINGS ARE HEARD VIA TELEPHONE BY CALLING (425) 436-6328 AND ENTER ACCESS CODE 480278#. THESE ARE 5 MINUTE HEARINGS ONLY. Motions for hearings of 5 minutes or less such as Default and Consent Final Judgments, Motions for Default, Motions to Withdraw, Motions to File Amended Complaint, Motions to Continue Non Jury Trials, etc. are to be scheduled on the FORECLOSURE UMC CALENDAR in JAWS at https://jawspinellas.jud6.org/jaws_attorney/login.aspx. The scheduling party must send courtesy copies of the Notice, Motion, and all supporting documentation and/or evidence directly to Judge Muscarella, 315 Court Street, Room 423 Clearwater, FL 33756 via U.S. Mail/Fed Ex/UPS/Courier and must be received by the Judge’s office at least five (5) business days prior to the hearing (**NOT BY EMAIL**).

Foreclosure Motions for Summary Judgment. May be scheduled on the UMC CALENDAR in JAWS at https://jawspinellas.jud6.org/jaws_attorney/login.aspx. if only 5 minutes or less, otherwise, please schedule for the appropriate length of time available in JAWS. The scheduling party must send courtesy copies of the Notice, Motion, and all supporting documentation and/or evidence and proposed Uniform Final Judgment of Foreclosure with copies and envelopes directly to Judge Muscarella, 315 Court Street, Room 423, Clearwater, FL 33756 via US MAIL/FEDEX/UPS/COURIER (**NOT BY EMAIL**) and must be received by the Judge’s office at least five (5) business days prior to the hearing.

ALL FORECLOSURE MOTIONS FOR SUMMARY JUDGMENTS THAT ARE LESS THAN 5 MINUTES ARE TO BE SCHEDULED ON THE FORECLOSURE UMC CALENDAR. IF LONGER THAN 5 MINUTES, PLEASE SET FOR THE APPROPRIATE TIME IN JAWS.

Foreclosure Non-Jury Trials (of more than 5 minutes).

Plaintiff is responsible for preparing the Notice that the Cause is at Issue, proposed Order Scheduling Non-Jury Trial (**SEE EXHIBIT 5**), and sufficient copies of the order and postage-paid envelopes for all parties. Send the above via US Mail to Judge Muscarella, 315 Court Street, Room 423, Clearwater, FL 33756. The date and time will be set by the JA. **PLEASE MAKE SURE YOUR COVER LETTER STATES HOW LONG YOU WILL NEED FOR THE NON-JURY TRIAL.**

A copy of the Order Setting Foreclosure Non-Jury Trial is attached (**EXHIBIT 5**).

OTHER PRACTICE AND PROCEDURE POINTERS:

Correspondence to the Court. Communications to the court should come from members of the Bar, not staff and must be served on all parties.

Deposition Disputes. The court will hear deposition disputes telephonically – immediately if the Judge is available, otherwise as can be scheduled.

Attorney's 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. Fee affidavits are sufficient in lieu of expert testimony if all parties agree to their use.

On-line Jury Services Juror Voir Dire

Welcome to the Pinellas County 6th Judicial Circuit Jury Duty Voir Dire Questionnaire!

Please indicate from the options below if you need to request a postponement or have a valid reason for excusal from jury service. If you choose either of these options, do not complete the voir dire questionnaire at this time.

Excusal Reasons:

By law, you are ineligible to serve if the following applies:

I am not a United States Citizen.

I no longer reside in Pinellas County.

I am presently under prosecution for a crime.

I am a convicted felon and my civil rights have not been restored.

You *can* be excused for the exemptions listed below:

I am 70 years of age or older and wish to be excused from jury service. I would like to be included in future jury lists.

I am 70 years of age or older and wish to be permanently excused from jury service.

I am an expectant mother.

I am a parent or legal guardian of a child under 6 years of age and not employed full-time.

I am currently a full-time law enforcement officer.

I am physically unable to serve.

(DOCTOR'S NOTE REQUIRED)

I am permanently incapable of caring for myself due to physical or mental incapacity.

(DOCTOR'S NOTE REFERENCING PERMANENT INCAPACITY IS REQUIRED)

I appeared as a juror in Pinellas County within the past one year.

I am responsible for the care of a person incapable of caring for self.

I am a full-time student between 18 and 21 years of age.

Other reason: You must explain and may only be subject to rescheduling.

Postponement Reasons:

I wish to request a one time deferral that will result in being re-scheduled to a non-changeable date within 6-months.

COVID-19 Related:

I am a person at higher risk for severe illness due to COVID-19 [as identified by the CDC](#).

I must care for a child or relative whose regular care provider is closed or unavailable for reasons related to COVID-19.

I am receiving leave pursuant to the Families First Coronavirus Response Act.

I have recently returned to work after being unemployed due to COVID-19 and request a 6-month postponement.

I have suffered a financial or personal loss due to COVID-19 that makes it a hardship to perform jury service and request a 6-month postponement.

Proceed to the Jury Questionnaire (I will serve as a juror)

I wish to request an excusal from Jury Duty (I qualify for an excusal per the above instructions)

I wish to request a postponement from Jury Duty (A future date will be assigned that will not qualify for additional postponements)

I must request an excusal or postponement for **COVID-19** related reasons (I qualify per the above instructions)

If second or third option is selected, then:

The respondent will be automatically redirected to <https://public.co.pinellas.fl.us/clerk/jurygmt/pub/excuse/GCB1WSInput.jsp> after 1 seconds

If fourth option is selected, then:

[<https://public.co.pinellas.fl.us/clerk/jurygmt/pub/excuse/GCB1WSInput.jsp>]

The respondent will be automatically redirected to <https://juryquestionnaire.mypinellasclerk.org/surveys/Jury-Service-Excusal> after 1 seconds

[<https://juryquestionnaire.mypinellasclerk.org/surveys/Jury-Service-Excusal>]

Otherwise, continue with the survey

All jurors will receive and must answer the following questions:

Please type your full name, as it appears on your juror summons:

Format: Last, First

Answer text

Date of Birth:

MM/DD/YYYY

ID NUMBER: N080074
DOE, JOHN J
JUROR NUMBER: 1001

Example Summons



REPORT ON: MONDAY
OCTOBER 12, 2020 AT 8:15 A.M.

10/12/2020 CIR N 1001
DOE, JOHN J
3170 SAN PEDRO DR
CLEARWATER, FL
33769-3536

REPORT TO: CLEARWATER COURTHOUSE
CT ROOM A - 4TH FLOOR
315 COURT STREET
CLEARWATER, FL 33756

1001 N080074
10/12/2020
DOE, JOHN J

(727) 464-5050

Juror Number as it appears on the juror summons:

This number is four digits. It is not the **ID Number** - see the example, above:

Answer text

ID Number as it appears on the summons you received:

This begins with a letter and then contains 6 digits, typically with a leading zero.

Example: A012345

It is not the **Juror Number** - see example above:

Answer text

Marital Status:

I am currently:

Single

Married

Divorced

Widowed

Telephone Number:

This will be the primary contact telephone number (voice and text) you want the Clerk and Court to use to contact you.

Answer text

Email Address:

This will be the primary contact email address you want the Clerk and Court to use to contact you.

Answer text

Please select the reporting location listed on your juror summons:

Pinellas County Justice Center

14250 49th Street North

Clearwater, FL 33762

Downtown Clearwater Courthouse

315 Court Street

Clearwater, FL 33756

St. Petersburg Judicial Building

545 1st Avenue North

St. Petersburg, FL 33701

Do you have any issue with hearing, eyesight, medication, physical, mental or emotional issue that would make it difficult for you to serve as a juror and give this case your full attention?

Yes

No

Please explain:

Is English your primary language and/or can you read the English language?

Yes

No

If English is not your primary language, please explain to what extent you are able to speak or read the English language. Include your primary language:

Do you have any unanticipated, immediate and pressing family, business or personal matter which causes you to be preoccupied to the extent that you could not serve as a juror and give a trial your full attention?

Yes

No

Please explain

What is your educational background?

Have you ever been a party or witness in court proceedings? "Court proceedings" include, but are not limited to, civil lawsuits; family law matters, including divorce, paternity and child support actions; probates of estates; and criminal charges.

Yes

No

If yes, please explain. Provide dates (year and month). For criminal cases, please include the case outcome (guilty, not guilty, etc).

Please explain:

Would your prior experience with court proceedings affect your ability to perform your responsibility as a fair and impartial juror?

Yes

No

If you have been convicted of a felony, have your civil rights been restored?

Yes

No

As a prior convicted felon who's civil rights have not been restored, you must complete a juror excusal to be removed from consideration for Jury Duty.

[Request Excusal](#)

Affidavit of Compensation (Check one)

I am regularly employed and I am receiving my regular wages while serving as a juror.

I am regularly employed and DO NOT receive regular wages while serving as a juror.

I am NOT regularly employed, or I am unemployed or retired.

Please provide the date for which you are being summoned, as listed on your summons:

See example, above

If a juror answers that they have been convicted of a felony and civil rights have not been restored, they will be directed to request excusal page. The affidavit of compensation is included here to determine jury pay and reduce time during check-in.

Civil Jurors will go on to answer these questions (different from Grand Jury or Criminal case jurors):

Number of years of residence in Florida?

Answer text

Number of years of residence in Pinellas County?

Answer text

What is your occupation and the name of your employer?

If you are not now employed, give your last occupation and employer:

Answer text

What is your spouse's occupation and the name of employer?

Answer text

Have you served as a juror before?

Yes

No

When and in what court?

Please list specific dates (month/year) and summarize the case and the outcome.

Have you or any member of your immediate family been party to any lawsuit?

Yes

No

When and in what court?

Please list specific dates (month/year) and summarize the cause of the suit and the outcome.

Are you either a close friend of or related to any law enforcement officer?

Yes

No

Please explain

Has a claim for personal injuries ever been made against you or any member of your family?

Yes

No

Please explain:

Have you or any member of your family ever made any claim for personal injuries?

Yes

No

Please explain:

Sign using your keyboard to type your name or use a touch screen to draw:

I will type my signature

I will use my touch screen to draw my signature

Draw your signature using a mouse or touch screen in the box below to indicate that your answers are complete and accurate to the best of your ability to answer.

Type your name below to indicate that your answers are complete and accurate to the best of your ability to answer.

Answer text

All Jurors must watch and indicate they have viewed the orientation video in order to complete the questionnaire.

The Jury Service Orientation video is mandatory prior to reporting for service.

This questionnaire cannot be submitted for consideration until this page is complete.

I have viewed the Jury Orientation video

Thank you for responding to the prospective juror voir dire questionnaire.

[Return to Clerk of Court and Comptroller website.](#)
