

HONORABLE ALICIA POLK
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JUDICIAL PRACTICE PREFERENCES FOR CIRCUIT FAMILY

SECTIONS C, K, DZ & M- DO NOT SCHEDULE HEARINGS VIA JAWS

***SECTIONS C, K, DZ & M accepts “agreed-upon” Orders only via
JAWS (see “Submitting Notices...” below)****

IF YOU DO NOT HAVE A LAWYER: 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.

It is expected that all parties and attorneys will adhere to ADMINISTRATIVE ORDER NO. 2013-075 PA/PI-CIR RE: STANDARDS OF PROFESSIONAL COURTESY FOR THE SIXTH JUDICIAL CIRCUIT.

Attorneys are expected to read and follow the Florida Bar Family Section “Bounds of Advocacy” that can be found at www.familylawfla.org.

COMMUNICATION WITH THIS OFFICE: The preferred form of communication for setting and cancelling hearings is by e-mail to crfame1@jud6.org. *The following should be included in the email:* case number, type of motion, length of hearing, and who you represent.

EX-PARTE COMMUNICATION IS NOT PERMITTED: Do not call/email the office to tell your side of what is going on in the case. Save that information for your court hearing. When corresponding with the court all parties must be cc'd on all emails/letters to the court.

FAX/E-MAIL POLICY: The Court requires all materials over ten (10) pages to be mailed or hand delivered. DO NOT fax or email without prior approval from the Court.

PROPOSED ORDERS: Proposed Orders that are agreed upon by the parties shall be submitted through JAWS with a cover letter.

- Orders should be typed in the promulgated *TIMES NEW ROMAN font, size 12.*
- As provided by the Standards of Professional Courtesy for the Sixth Judicial Circuit, the cover letter should state that opposing counsel/pro se party agrees or objects to the proposed Order or that opposing counsel/pro se party was given the opportunity to object to the proposed Order but did not.
- The cover letter must show all opposing parties are copied with same. If the Order is the result of a particular hearing, reference the hearing date in the Order and cover letter.
- If there are disagreements/objections over a proposed Order, the parties must attempt to work them out before requiring further Court intervention. If the disagreements as to the form of the Order cannot be worked out, each side should submit a proposed Order with an extra copy highlighting the parts which are in disagreement together with a cover letter.
- The Court DOES NOT hold Orders pending objections. Additionally, the cover letter must show all opposing parties were copied.
- DO NOT call the Court or email only a letter to object. Email a proposed Order.
- Proposed Orders/judgments should NOT contain BLANKS FOR THE JUDGE TO FILL IN OTHER THAN THE DATE THE JUDGE SIGNS. PROPOSED ORDERS/JUDGMENTS CONTAINING BLANKS WILL NOT BE SIGNED.
- The Judge will change any language or amounts in the Order/Judgment she does not find appropriate.
- The moving party shall have a proposed Order prepared for the hearing. The non-moving party may provide a proposed Order as well.

- DO NOT send unsigned proposed Orders to the Clerk of Court.
- Proposed Orders/judgments should not be submitted to the Court that contain only 1) “DONE AND ORDERED...” and/or 2) the Judge’s signature on the last page. Some part of the body of the Order shall accompany the Judge’s signature block.

HEARINGS & TRIALS:

SETTING HEARING TIMES: Motions must be e-filed with the Clerk of the Court and sent to opposing counsel/self-represented party prior to scheduling a hearing. Contact the Judicial Assistant at crfame1@jud6.org for available times. All hearings must be coordinated with opposing counsel. Hearing times are not reserved and *the calendar fills quickly*. Please wait for the Judicial Assistant’s confirmation reply before sending out Notice of Hearing. Motions requesting relief must go through mediation prior to requesting hearings dates.

Motions requiring a hearing time of two (2) hours or more require a short case management conference or telephone conference with the Judge.

NOTICE OF HEARING: Ensure proper notice is sent to all. Even with defaults, ensure all parties are copied all the time with everything. NOTICE and opportunity to be heard are KEY concerns for the Judge. Cross-Noticing on another attorney’s time is strictly prohibited. **IMPORTANT: DO NOT** add a hearing or cross-notice a hearing without approval from moving counsel and the Court. Any motion added or cross-noticed without approval will not be heard.

TEMPORARY MOTIONS HEARING REQUEST: See Administrative Order 2011-006 PA/PI-CIR. ALL temporary motions (i.e. custody, visitation, support, etc.) must be mediated prior to a hearing being held. Hearing time on the court’s calendar on temporary matters will not be reserved until mediation has been scheduled. Temp hearings should not exceed one (1) hour except under extraordinary circumstances. To expedite hearing, proffers are strongly encouraged. True emergencies (see Emergency Motions) are an exception.

SETTING PRE-TRIAL CONFERENCES AND TRIALS: In most cases a Case Management Conference is necessary to set a Pre-trial Conference and Trial. Contact the Judicial Assistant to request hearing time for a Case Management Conference. No motions will be heard at the Case Management Conference without prior approval of the Court. The attorney conducting the trial must attend the pre-

trial conference in person, not by telephone. The parties must also attend the pre-trial conference. It is assumed at a pre-trial conference that the case is ready to be tried, there are no pending motions, and discovery is completed. The trial will be scheduled at the pre-trial conference. Attorneys must bring their calendars to pre-trial conference.

Should a pre-trial need to be reset, both parties must be in agreement in Order to get a reset date without a hearing. Otherwise, a Motion to Continue Pre-Trial should be filed and set for hearing.

- a. We are continuing to conduct ALL hearings and trials. With the exception of domestic violence return hearings, all hearings and trials will be conducted by Zoom (audio/video) or telephone at this time. Per Florida Supreme Court Order, there will be no in-person hearings, with the exception of domestic violence return hearings. To attend a Zoom hearing, please refer to the invitation and/or Notice email you receive for directions. You may attend a Zoom hearing by audio/video or by simply calling the Zoom telephone number from your telephone. All persons wishing to attend a telephone only hearing, this includes court reporters and witnesses, will be noticed of a telephonic hearing instructing them to call the hearing line at (352) 559-5207. When you connect by telephone to the hearing line, you will experience silence until the Judge opens the hearing line.

If the case settles, please **email** the Judicial Assistant to cancel any hearings or trials that may be scheduled by emailing crfame1@jud6.org.

- b. All evidence, orders, judgments and other documents you wish to use or have entered at a hearing or trial should be submitted at least five (5) days in advance to the Court (if your hearing is set less than 5 days then the court must receive these documents by no later than the day before the hearing by 4:30 p.m.). **Exhibits must be pre-marked, and indexed in a binder and provided to the Judge's office by mail or hand delivery in a binder tabbed with an index page (Do not email your exhibits).** All documents must be provided to the Court and opposing counsel in the exact same form. All evidence must be provided to all witnesses in advance in the same format as provided to the Court and opposing counsel.
- c. If you have a hearing or trial set which you do not believe can be conducted by Zoom or telephone, first consult with opposing counsel/party and determine if there an agreement to reschedule your hearing or trial for a later date. If there is an agreement to reschedule, you may submit a joint Motion and agreed order. If there is not an agreement to reschedule, then you must file a Motion to Continue and set the Motion for hearing. All requests to reschedule hearings and trials, without or without an agreement, are considered on a case by case basis.

d. The Court will swear witnesses in over Zoom or the telephone, a Notary is not required to be with the witness (Florida Supreme Court Administrative Order No. AOSC20-16).

ORDERS & JUDGMENTS:

All Orders and Judgments must be submitted in pdf format with a cover letter through JAWS. Whomever is submitting the order shall include all email addresses for service of conformed copies. If a party does not have an email address, then their mailing address should be included in the service section of the Order and the party that submitted the order shall mail them their copy. They must also be formatted as shown in the attached. **DO NOT** submit orders prior to the hearing.



MEDIATION:

Mediation may be conducted by audio and/or video technology methods. No one is required to participate in an in-person mediation. However, per Sixth Judicial Circuit Administrative Order, parties are still required to mediate their case.

PARENTING CLASS:

Effective immediately, any and 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.

NOTARIZING DOCUMENTS:

The Florida Supreme Court has ordered that all family law filings requiring a Notarized signature do not need to be Notarized provided they are verified by a signature and the following statement “Under penalties of perjury, I declare that I have read the foregoing __(document title)_ and that the facts stated in it are true.” See Florida Statutes §92.525(2). This exception does not apply for any documents which would require a Notary in order to transfer interests in certain property, i.e. a document is transferring ownership of real property.