



**HONORABLE JULIE SERCUS
FAMILY LAW DIVISION, SECTION 22
PINELLAS COUNTY COURTHOUSE
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CLEARWATER, FL 33756**

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**JUDICIAL PRACTICE PREFERENCES
FAMILY LAW DIVISION SECTION 22**

Welcome to Family Law Division Section 22. Please take the time to review the following practice preferences and helpful hints. If you have any questions, please do not hesitate to call or email. We are here to help!

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

Due to the ongoing COVID-19 pandemic, the only “in person” hearings being held in the Family Law Division of the Sixth Judicial Circuit Court in and for Pinellas County, Florida are hearings involving the immediate safety of a person, such as domestic violence return hearings. Any such hearings will be held only at the Pinellas County Justice Center located on 49th Street, and will NOT be conducted at the downtown Clearwater Courthouse on Court Street. **Persons may NOT attend a hearing in person at the Courthouse absent express written order directing same**

**ALL HEARINGS IN FAMILY LAW DIVISION SECTION 22 WILL BE
CONDUCTED VIA ZOOM OR TELEPHONE CONFERENCE CALL
UNTIL FURTHER NOTICE**

When you are coordinating your hearings, please inform the JA if you are requesting the hearing via Zoom or via phone conference. If the hearing will be via Zoom, you will be provided with a Meeting ID and password to include in the notice. If the hearing will be only via telephone, you will be provided with call-in information, including a conference call line (if necessary).

If the proceeding is one in which the court is required to create a record, the Court will have the digital court reporter enabled. For any other proceedings, it is the responsibility of a party desiring a formal record to obtain and provide a court reporter to attend in the manner set forth above. No participant other than the Court is authorized to record the proceeding. Use of any recording of this proceeding by anyone other than the Court to prepare official transcripts is prohibited. Any recording other than what is made by the Court is not the official record and may not be used in future trial or appellate proceedings.

Notice of Hearing forms for Zoom and Telephonic Hearings can be found at the end of this document.

ALL NOTICES OF HEARINGS MUST BE FILED AND SERVED UPON THE OPPOSING PARTY, WITH A COURTESY COPY TO THE COURT WITHIN 3 DAYS OF CONFIRMING THE DATE AND TIME WITH THE JUDICIAL ASSISTANT. FAILURE TO COMPLY WITH THIS RULE CAN RESULT IN THE DATE/TIME BEING RELEASED.

GUIDELINES FOR ZOOM AND TELEPHONIC HEARINGS:

A. This is not a meeting. This is a court hearing. Dress and behave as if you were attending court in person. Pay attention to the time, as there are likely other hearings following yours and

the hearing will need to conclude on time.

B. At the start of the Zoom hearing all participants will be in a virtual waiting room, and the parties, counsel, and any court reporter, will be admitted in the virtual hearing by the presiding judge upon the start of the hearing.

C. Please “rename” yourself on Zoom to show your actual name, so you can be readily identified by others for your hearing.

D. Any witnesses will be left in the Zoom waiting room or will be placed in a “breakout room” until such time as they are “called” to testify, at which point they will be admitted to the virtual hearing room.

E. If at any point in a Zoom hearing an attorney needs to confer with his/her client separately, they may advise the Court and the presiding judge (if appropriate) will open a “breakout room” and assign the attorney and party to the breakout room for them to have their conversation outside of the presence of the Court and other participants. Similarly, if counsel for all parties need/want to speak together with the Judge without the parties present, they may make such a request and (if appropriate) the Court will open a “breakout room” for that conversation to occur, akin to how counsel may meet with a Judge in chambers prior to a traditional in-person hearing.

F. In a Zoom hearing, parties will be able to use the “chat” feature to communicate directly with their counsel – **but be sure to select only the person to whom you wish to chat, or else you will risk sharing your chat with all participants – including the other side and the Judge.**

G. The same rules which apply to a hearing in person before the Court, also apply to Zoom hearings and telephonic hearings.

H. No minor children are permitted to attend, or be present in the room where any participant is attending the virtual hearing via Zoom or telephonically. Persons with minor children of the action in the same building where the participant is appearing should take all reasonable steps to insure the minor children are not exposed to the proceedings. Participants may wish to use earbuds or headphones to assist in shielding the children from the litigation.

I. When speaking, remember to look directly at the webcam, not at the screen.

J. Position the camera at your eye level or slightly above eye level, and be mindful of what is behind you as everyone participating in the hearing will be able to see.

K. 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.

L. In all hearings, participants should speak one at a time and pause prior to speaking in case there is any audio/video lag for any other participant(s).

M. In all hearings, participants are encouraged to mute themselves when not speaking in order to avoid any potential background noise.

N. In all hearings, when a participant is speaking to another specific participant, s/he must address that participant by name each time.

O. In all hearings, if you will be providing corroborative proof of your Florida residency for a dissolution of marriage, to satisfy the requirement of § 61.052(2), Fla. Stat., you may: (1) file a copy of your Florida Driver's License, Florida ID Card, or Florida Voter Registration Card with your name and issue date legible, and redact all other information on the Card; (2) show one of these items to the camera (close up, upon request) during the hearing; or (3) file an affidavit of corroborating witness.

P. You may ask to show a witness a documentary exhibit which has been timely provided, in advance, to the court (in the manner provided for herein below), and/or the Court will "share a screen" to enable all persons attending via video to see the exhibit during the inquiry.

Q. If a party/attorney has an objection, they should state "objection" in a loud, clear voice, followed by a two or three word statement of the objection, and the other speaker should pause and allow the court to address the objection before continuing.

R. **It is the responsibility of counsel, prior to the scheduled hearing, to insure not only the attorney, but the attorney's client(s) and any witness(es) for their client: (1) have access to Zoom; (2) have access to the exhibits for which they will be testifying; and (3) are familiar with the use of Zoom.**

S. If the proceeding is one in which the court is required to create a record, the Court will have the digital court reporter enabled.

RULES FOR EVIDENTIARY HEARINGS

For any hearing in which testimony or physical evidence is going to be presented to the Court, **you must follow these deadlines.** Failure to comply may result in exclusion of evidence.

1. **5 DAYS PRIOR TO HEARING:** The parties SHALL exchange witness lists and all evidence to be presented at the hearing.

2. **3 DAYS PRIOR TO HEARING:**

- (a) The parties SHALL email exhibit lists and witness lists to section22@jud6.org.
- (b) The parties SHALL provide all evidence to the court either electronically or by hard copies AS FOLLOWS

ELECTRONICALLY:

- (1) The documentary exhibits should be in .pdf formatting, and titled in the following general format: “H’s Ex 1 – Financial Affidavit”; “H’s Ex 2 – Paystub”; etc. It is up to the parties/sender if they use H & W for Husband and Wife; P & R for Petitioner and Respondent; F & M for Father and Mother, etc. Each document should be its own separate file, and not combined into a singular large file.
- (2) If the files are too large to submit via email, it is now acceptable to submit evidence with an e-mail that contains a link to a Dropbox (or similar) account, provided the Court (nor any other person needing to access same) will NOT need to create an account to access same. The direct link in the e-mail must afford ready access to the documents without additional hurdles, nor creating record retention issues for the Court.

HARD-COPIES:

If you are electing 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. Parties wishing to use such paper evidence are responsible for insuring their binder is RECEIVED by the opposing counsel at least 5 days prior to the hearing and RECEIVED by the Court at least 3 days prior to the hearing.

PARENTING CLASSES

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.

AVOIDING THE NEED FOR A NOTARY

Pursuant to the administrative orders currently in effect, the Court is able to swear in any witnesses (provided the witness is in Florida or consents to be sworn in Florida) provided the witness can be “positively identified.” Such positive identification can be achieved from a

representing attorney, sufficiently familiar with the witness, averring to the witness's identity, or by providing the Court sufficient evidence to confirm the witnesses' identity (such as having a witness appearing by video show his/her driver's license to the camera upon request during a Zoom hearing).

Documents which otherwise would have been executed under oath in the presence of a notary may generally be done by simple written declaration, provided the signature block adheres to the requirements of § 92.525(2), Fla. Stat. which provides: "Under penalties of perjury, I declare that I have read the foregoing [document] and that the facts stated in it are true," followed by the signature of the person making the declaration, except when a verification on information or belief is permitted by law, in which case the words "to the best of my knowledge and belief" may be added. The written declaration shall be printed or typed at the end of or immediately below the document being verified and above the signature of the person making the declaration.

DIGITAL RECORDING / COURT REPORTERS

A digital court reporter is *only* provided by the Court for injunction hearings (domestic violence, dating violence, sexual violence, repeat violence, and/or stalking). The Court does not provide a court reporter or digital recording for any other proceeding and it is the responsibility of the party desiring such reporting to arrange for a Court Reporter to be present for whatever hearing they believe a Court Reporter is necessary, and to be responsible for the payment for the court reporter's services (subject to later reallocation by the court if an appropriate motion seeking same is filed, set for hearing and ruled upon by the court). A list of Court approved court reporters, as well as information on how to obtain a transcript from a digitally recorded proceeding can be found on the left side of the www.jud6.org website under "Court Reporting"

E-SERVICE ON A SELF-REPRESENTED PARTY

Attorneys are reminded that while a self-represented party may provide an opposing counsel with an e-mail address for communication and coordination of scheduling matters, unless the self-represented party affirmatively "opts in" to the use of **Service by Electronic Mail ("e-mail")** pursuant to Rule 2.516(b)(1)(C), Fla. R. Jud. Admin., that certifying service of any filing with the Court (including Notices of Hearing, Motions, etc.) upon the self-represented party merely via e-mail alone will **not** suffice and service upon the self-represented party must be made in accordance with Rule 2.516(b)(2), Fla. R. Jud. Admin.

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.

The Clerk of Court has a Self Help Program for self-represented (*pro se*) litigants in the Clearwater Courthouse, phone (727) 464-5150, 315 Court Street, Clearwater, FL 33756.

Other legal Services:

Gulfcoast Legal Services	(727) 443-0657 Clearwater (727) 821-0726 St. Petersburg.
Bay Area Legal Services	(800) 625-2257
Community Law Program	(727) 582-7480.
Clearwater Bar Association	(727) 461-4880
St. Petersburg Bar Association	(727) 821-5450.

ELECTRONIC RESOURCES

Florida Family Law Rules of Procedure: Parties appearing in Section 22 should be familiar with the governing Family Law Rules of Procedure which may be found here: [Florida Family Law Rules of Procedure](#)

Florida Rules of Judicial Administration: Parties appearing in Section 22 should be familiar with the [Florida Rules of Judicial Administration](#).

Family Law Forms: The Florida Supreme Court has approved numerous forms for use in Family Law proceedings, which may be purchased through the Clerk of the Court, or downloaded at no cost from the State Court website: <http://www.flcourts.org/resources-and-services/court-improvement/problem-solving-courts/family-courts/family-law-forms.stml>. In addition, the Sixth Judicial Circuit has a number of [Locally Approved Individual Forms](#) which may be found on the www.jud6.org website under “Representing Yourself in Court”

Florida Statutes: All parties, and counsel, appearing in Section 22 should be familiar with whatever provision(s) of the [Florida Statutes](#) which pertain to your case.

JAWS (Judicial Automated Workflow System)

It is the moving party's responsibility to confirm that all counsel/associated parties are in the JAWS database to ensure all parties receive emails regarding the scheduling and cancellation of hearings; as well as any Orders issued electronically via JAWS. Failure to comply with this procedure can result in cancellation of your hearing.

The website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx which includes links to [register new user account\(s\)](#) and [instructions](#) on how to use JAWS.

SECTION 22 IS NOT SCHEDULING HEARINGS THROUGH JAWS – YOU MUST CONTACT THE OFFICE!

COMMUNICATION WITH SECTION 22

The preferred form of communication is by email to Section22@jud6.org. However, do not hesitate to call if you need additional assistance. We are here to help!

Helpful Tips:

1. On all emails, please include the case number and the last name for each party on the subject line.
2. On all Emergency motions, you must include “EMERGENCY” in the beginning of the subject line and mark the email by using “!” Urgent/High Priority/High Importance”
3. If requesting hearing time by email, please include type of motion, length of hearing and who you represent. E-mails seeking hearing times should copy all parties (or their counsel if represented) to prevent any concerns of *ex parte* communication. The JA will respond within 72 hours of receipt of the e-mail. All motions **MUST** be e-filed with the Clerk of Court and served on the opposing party prior to requesting hearing time.
4. Motions requiring a hearing time of two (2) hours or more require a short case management conference or telephone conference with the Judge.

5. If a hearing has been cancelled, **please email a courtesy copy of the Notice of Cancellation immediately.**

Due process is a primary concern in all proceedings. Be sure to coordinate with all interested parties, such as the Florida Department of Revenue or Guardian Ad Litem.

MOTION PRACTICE – GENERALLY

Courtesy Copies of Documents: The Court has access to the electronic record. The Clerk does not maintain a paper file. Please submit courtesy copies of *Notices of Hearing* and *Notices of Cancellation of Hearing* to the Court via e-mail to the Judicial Assistant at Section22@jud6.org. No other documents that have been e-filed need to be copied to the Court, **UNLESS THE FILING WAS MADE LESS THAN 48 HOURS PRIOR TO HEARING. IF YOU HAVE FILED DOCUMENTS LESS THAN 48 HOURS PRIOR TO THE HEARING, YOU MUST PROVIDE COURTESY COPIES TO THE COURT VIA EMAIL.**

Cross Noticing / Piggybacking: Cross-Noticing a motion upon another party's time is STRICTLY PROHIBITED.

SPECIFIC MOTIONS & HEARINGS

Adoptions / Name Changes: Adoption files and Name Changes are reviewed by the Court's Staff Attorney prior to any final hearings being scheduled. If you believe your case is ready to set for final hearing, e-mail Section22@jud6.org with the case number so that we may verify the status with the Staff Attorney. You will be notified by the Staff Attorney if additional documentation is needed; or you will be notified by e-mail from the Judicial Assistant with dates/times available for a final hearing. **All final hearings on adoptions of minors MUST have a court reporter present.** The Court does not provide a court reporter for the proceedings. A list of Court approved court reporters can be found on the left side of the www.jud6.org website under "Court Reporting" or through the following link: [Court Reporters Approved for Assignment in the Sixth Circuit](#)

Attorney's Fees: Prior to any attorney's fee hearing, the attorneys should exchange affidavits outlining the reasonable number of hours requested and the reasonable hourly fee. They should also make arrangements to meet prior to the hearing to discuss resolution and allow each other to talk with opposing experts (if applicable). Fee affidavits are sufficient in lieu of expert testimony **IF** all parties agree to their use. All fee awards must meet the requirement of *Florida Patients' Compensation Funds v. Rowe*, 472 So.2d 1145 (Fla. 1985).

In trials, the Court usually reserves on the issues of both entitlement and amount. Be prepared to have final fee matters referred to mediation following the trial on the merits of the balance of the petition(s). For Attorney's Fees / Costs requests exceeding \$50,000.00, or upon request of a party or upon the Court's initiative in requests below that threshold, upon scheduling a hearing upon a party's Motion for Award of Attorney's Fees and Taxation of Costs, the Court will enter an Order Setting Final Evidentiary Hearing On Attorney's Fees and Costs; Referring Parties to Mediation on Amount of Fees & Costs; and Establishing Pre-Hearing Requirements setting forth detailed requirements for the consideration of the motion.

Case Management Conferences: Case Management Conferences are encouraged by the Court as a mechanism for differentiated handling of individual cases. The Court may set Case Management Conferences on its own, or at the request of a party, to address matters as set forth in Rule 12.200, Fla. Fam. L. R. P.

EMERGENCY MOTIONS: All Emergency Motions must be filed with the Clerk of Court prior to the Court determining emergency status. The moving party shall provide the Court with a copy of the motion by e-mail as discussed above, **AFTER** it has been filed with the Clerk of Court. The Court does not receive motions through the Portal when you check "emergency" and the Clerk does NOT provide copies of all emergency motions to the Court for review upon filing. If an emergency motion is merely e-filed, the Court will likely not be aware of the filing.

A PLEADING SHOULD ONLY INCLUDE THE WORDS EMERGENCY AND/OR EXPEDITED IF THERE IS THE POTENTIAL FOR HARM TO ONE OF THE PARTIES OR MINOR CHILDREN WITHIN 7 DAYS.

Parties and/or Counsel seeking emergency relief are expected to read, review and be familiar with *Smith v. Crider*, 932 So.2d 393 (Fla. 2nd DCA, 2006), *Loudermilk v. Loudermilk*, 683 So.2d 666 (Fla. 2nd DCA, 2007) and Rule 12.605, Florida Family Law Rules of Procedure, prior to the filing of any request for emergency, expedited and/or *ex parte* relief.

The Court strives to enter an Emergency Motion Handling Order within 24 hours (or 1 business day) of receipt of the Emergency Motion. Such Order may:

1. Granting the requested relief without notice and set a return hearing; or
2. Set an emergency or expedited hearing upon the motion; or
3. Set an expedited Case Management Conference; or
4. Allow a hearing to be set and direct the moving party to contact the Judicial Assistant for available dates/times; direct a party to file a written response; or

5. Deem the matter not an emergency, to be handled in the regular course of business; or take other appropriate action – including admonishing or sanctioning a moving party for improper use and/or abuse of the emergency motion process.

Relocation: Pursuant to § 61.13001(10), Fla. Stat., the Court affords special accommodation to schedule hearings on relocation requests – both temporary and final – on an expedited basis, **provided the moving party has complied with all other requirements for seeking relief; INCLUDING WITHOUT LIMITATION THE REQUIREMENT TO SCHEDULE AND ATTEND MEDIATION PRIOR TO SEEKING HEARING TIME WITH THE COURT.** The failure of a party to abide by the strict requirements of the statute, as well as the requirements of the local Administrative Orders and the Practice Preferences of this section SHALL be deemed a waiver of any specific time requirements of the Statute.

If a party is seeking to invoke the statutory provision entitling him/her to an expedited hearing upon the temporary relocation request, then **immediately** upon the filing of the Motion for Temporary Order Granting Relocation with the Clerk of the Court, the moving party shall also file a Motion for Referral to Mediation with the Clerk of the Court, along with an [Affidavit for Establishing Mediation Fees](#) and must provide a copy of both motions to the Judge's Judicial Assistant via e-mail to Section22@jud6.org with EXPED RELO RQST-TEMP in the subject line. Upon receipt of same the Court will render (by JAWS) an Order Referring the Parties to Mediation and Scheduling a Case Management Conference. The scheduling of the hearing upon the Motion for Temporary Order Granting Relocation will be coordinated at the Case Management Conference. *It should be understood that the Court will do its best to accommodate the 30-day provision from date of filing in the Statute if the moving party fully complies with the requirements herein, but circumstances beyond the Court's control (such as when or how a party effects initial service of process upon the opposing party, Court holidays, hurricanes, etc.) may impact the ability to strictly comply with same.*

If a party is seeking to invoke the statutory provision entitling him/her to an expedited final hearing upon the Petition to Permit Relocation With Minor Child(ren), then **immediately** upon the filing of the Notice For Trial (certifying that the pursuant to Rule 12.440, Fla. Fam. L. R. P. the matter is ripe for and ready to be set for trial), the moving party must provide a copy of the Notice to the Judge's Judicial Assistant via e-mail to Section22@jud6.org with EXPED RELO-FINAL RQST in the subject line. Upon receipt of same the Court will render (by JAWS) an Order Scheduling a Case Management Conference, and the Court will manage the scheduling of the case in accordance with Rule 12.200, Fla. Fam. L. R. P. and scheduling a Pre-Trial Conference at the Case Management Conference.

Temporary Relief: For temporary relief matters, 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 the hearing, proffers are strongly encouraged. The parties may schedule a temporary motion after the mediation is scheduled to be completed. If one party unilaterally cancels the mediation, then the non-cancelling party has the option to keep the temporary motion hearing date.

MATTERS NOT REQUIRING A HEARING

A matter does not require a hearing and an order may be submitted by uploading an order in JAWS if all parties are in agreement, a stipulation has been signed, or the Court has otherwise permitted in these preferences. The Court requires that all proposed orders contain a cover letter which expressly states that the opposing side(s) have reviewed and approved the form and substance of the proposed order OR specifying the date and manner in which the proposed order was sent to the other side(s) and certifying that the opposing side(s) failed to respond with any objections to the proposed order within five (5) days of being provided with the proposed order for review OR specifying under which provision of these preferences the proposed order may be uploaded without need of same. **Failure to include a cover letter and/or certify same in the cover letter will result in the rejection of the proposed order.**

Some matters that do not require a hearing are as follows:

- Appointment of Special Process Server
- Stipulated Modifications
- Stipulated/Agreed Orders
- Motions to Compel Without a Hearing – see below
- Motions for Substitution of Counsel – see below
- Motions to Withdraw (with signed consent from client)-see below

Motions to Compel Without a Hearing: A party may obtain an *EX PARTE* ORDER COMPELLING DISCOVERY without need of a hearing in Section 22 pursuant to local Administrative Order [2017-072 PA/PI-CIR](#) when (1) a Motion to Compel alleges a complete failure to respond or object to discovery, (2) there has been no request for an extension, (3) the motion alleges that the movant has conferred with the opposing party (or counsel if represented) and has been unable to resolve the dispute. No fees or other sanctions may be sought in the *ex parte* motion nor granted in the *ex parte* order. The *ex parte* order may be entered requiring compliance with the original discovery demand within ten (10) days of the

signing of the order. *Please remember to adhere to the instructions for uploading proposed orders in JAWS – particularly if one party is not represented by an attorney.*

Substitution of Counsel: A proposed Order of Substitution of Counsel may be uploaded for entry in JAWS as set forth above, provided there is an accompanying stipulation including the client’s WRITTEN consent as required by Rule 2.505(e)(2), Fla. R. Jud. Admin. Proposed orders approving stipulations for substitution of counsel without the written consent of the client will be rejected by the Court.

Withdrawal of Counsel: A proposed Order Granting Motion to Withdraw may be uploaded for entry in JAWS without need of a hearing, so long as written consent by the client is provided and there is no objection to the withdrawal from the opposing party (or counsel if represented). In order for the Court to be able to enter same, the Motion to Withdraw must contain (or attach as an exhibit) the consent from the client, certification of the confirmation of the opposing party’s non-objection to the withdrawal and be in compliance with Rule 2.505(f)(1), Fla. R. Jud. Admin. by setting forth the reason for the withdrawal and the client’s last known address, telephone number, including area code, and e-mail address. The proposed Order Granting Motion to Withdraw shall not specify any abatement of activity in the case, however it shall (must) recite the client’s full contact information as set forth in the motion – and the uploading attorney must affiliate the client’s e-mail address with the case in JAWS prior to uploading the proposed order for entry.

PROPOSED ORDERS

Attorneys should upload ALL agreed upon Orders in JAWS in .pdf format in the Work Queue for the Judge’s signature. **It is the responsibility of the attorney uploading the order for entry to review and ensure that all other parties to the case entitled to receive a copy of the order are affiliated with the case in JAWS.**

If the opposing party is not represented by an attorney and has not otherwise consented to receive the order solely by e-mail, then the attorney uploading the proposed order must either:

1. Serve a copy of the electronically conformed order upon the self-represented party in accordance with Rule 2.516(b)(2), Fla. R. Jud. Admin. within one (1) business day of rendition of the electronically conformed order, **and** to file a “Certificate of Service” with the Clerk (or similar document) detailing how and when a copy of the electronically conformed order has been sent to the self-represented party; **OR**
2. Reflect that the order is being sent to the self-represented party by e-mail though JAWS **and** via regular U.S. Mail (including the address for the party to receive the

mail) **and** provide the Court **prior to uploading the order in JAWS** with appropriately addressed and stamped envelope(s) for distribution to all parties who will be receiving the order by U.S. Mail.

All proposed orders should adhere to the following guidelines:

1. All proposed orders should be accompanied by a cover letter indicating if the parties are in agreement to the form and substance of the proposed order. **The Court DOES NOT hold orders pending objections** so the cover letter must indicate when and how the proposed order was sent to the opposing party (or counsel if represented) for review and either indicate the opposing party's agreement to the proposed order as written, the objections relayed by the opposing party (as set forth more in-depth below), 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 **before the proposed order is submitted to the Court for consideration.**
2. If a party is assigned to draft a proposed order from the hearing, it should be remitted to the court **within twenty (20) days at most.** This time limit provides the drafting party for 10 days to complete the draft of the proposed order and provide a copy to the opposing party for review. The reviewing party has five (5) days to review the proposed order and advise the drafter of any disagreements / objections to the proposed order. **A party may not object to a proposed order because they disagree with the ruling of the Court – objections to proposed orders should be limited to insuring that the proposed order accurately reflects the Court's ruling.** If there are no disagreements, the proposed order should be converted to a .pdf format and uploaded in JAWS for entry.
3. If a reviewing party has an objection to the proposed order, they are responsible for conveying that objection to the drafting party and providing alternate proposed language for the portion of the proposed order with which they disagree within two (2) days of informing the drafting party of their objection. The parties shall cooperate to attempt to resolve the differences on the language in the order, such that if the same cannot be agreed upon within the 20 day window, the drafting party shall send an e-mail to the Judicial Assistant (copying all parties) with the words **DISPUTED PROPOSED ORDER** in the subject line, and should include a cover letter detailing the disputed provisions of the order (.PDF format) which includes the date of the hearing from which the order stems, and attach to the e-mail the Word form of the proposed order (including any language changes which have been

agreed upon amongst the parties) as well as a Word form of the alternate language proposed by the objecting / reviewing party. The Court will thereafter review the proposed order and alternate language, and will revise the proposed order as the Court deems appropriate (if necessary) and will either render an ultimate order in JAWS or may issue an order in JAWS setting a Case Management Conference to resolve disputed language / order issues.

4. As detailed above, the Court DOES NOT hold orders pending objections. **Do NOT call the Court or send only a letter / e-mail to the Court objecting to a proposed order.** The objection must be timely remitted to the drafting party and any objection should include a statement of the specific objection and include a WORD form version of the alternate proposed language for any objectionable provision/language.
5. Proposed Orders should NOT contain blanks for the Judge to fill in – other than the date and line for the Judge’s signature.
6. Proposed orders should not be submitted to the Court which contain only DONE AND ORDERED and/or the Judge’s signature on the last page. Some part of the body of the Order shall accompany the Judge’s signature block.
7. The Judge will change any language or amounts in the proposed order that s/he does not find appropriate.
8. Do NOT send unsigned proposed Orders to the Clerk of the Court.
9. If an order is to be sent to a party, or parties, via U.S. Mail, it is the responsibility of the party providing the proposed order to provide the Court with sufficient stamped, self-addressed business size envelopes for distribution. If sufficient stamped, self-addressed business size envelopes are not provided the order may be rendered to, and filed with, the Clerk without copies being distributed and counsel may obtain copies from the Clerk of the Court (at whatever expense that may cost) for distribution, as it is counsel’s responsibility to ensure that all parties receive copies.

MEDIATION

Pursuant to local Administrative Order No.: [2011-006 PA/PI-CIR](#) all post judgment matters **and** temporary support matters are automatically referred to mediation prior to a hearing on the matter. In addition in Section 22, **ALL** matters – whether initial, supplemental, temporary or final - including all issues seeking to establish and/or modify parental responsibility, time-sharing and/or support issues (other than actions only seeking enforcement/contempt) shall be referred to and attend mediation to attempt to resolve the disputed issue without need of court intervention before hearing time will be given upon the pending matter/motion.

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.

UNCONTESTED FINAL HEARINGS

An uncontested Final Hearing may be scheduled on the Court's UMC docket. Prior to scheduling an uncontested Final Hearing, the moving party should insure that the following items have been filed with the Clerk of the Court:

Dissolution of Marriage without children

1. Financial Affidavit(s) – *if financial relief is being granted by the Court*;
2. Marital Settlement Agreement.

Dissolution of Marriage with minor children:

1. UCCJEA Affidavit(s);
2. Social Security Number Affidavit(s);
3. Marital Settlement Agreement;
4. Parenting Plan executed by both parties;
5. Certificates of completing Parenting Course by each parent;
6. Financial Affidavit(s);
7. Child Support Guideline Worksheet

Paternity actions:

1. UCCJEA Affidavit(s);
2. Social Security Number Affidavit(s);
3. Parenting Plan executed by both parties;
4. Certificates of completing Parenting Course by each parent;

5. Financial Affidavit(s);
6. Child Support Guideline Worksheet

PRE-TRIAL CONFERENCES

A Pre-Trial Conference will be required for any Final Hearing by Non-Jury Trial which is expected to take three (3) hours or more of the Court's time. In most cases a Case Management Conference is necessary to set a Pre-Trial Conference as 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. Accordingly, it is recommended that a party schedule a Case Management Conference pursuant to Rule 12.200, Fla. Fam. L. R. P. after they have filed their Notice for Trial pursuant to Rule 12.440, Fla. Fam. L. R. P. in order to facilitate same.

Pre-Trial Conferences are scheduled for thirty (30) minutes and no motions will be heard at the Pre-Trial Conference without prior approval of the Court. The attorney conducting the trial must attend the Pre-Trial Conference in person – currently via Zoom, not by telephone. The parties must also attend the Pre-Trial Conference. It is assumed that at a Pre-Trial Conference the case is ready to be tried, there are no pending motions, and all (or virtually all) discovery is completed so the Court may impose discovery deadlines and schedule the Final Hearing by Non-Jury Trial at the Pre-Trial Conference, so the parties and counsel must bring their calendars to the Pre-Trial Conference.

NOTICE OF FINAL DISPOSITION

It is the responsibility of the party providing the proposed order/final judgment (or the moving party if the Court is drafting the order/final judgment) to draft and file the Notice of Final Disposition with the Clerk of the Court upon entry of the order/final judgment disposing of the matters pending before the Court.

FORM FOR NOTICE FOR ZOOM HEARING

(PLEASE CUT AND PASTE THE FOLLOWING LANGUAGE FOR NOTICES)

THIS CAUSE is set for a hearing upon *(name of motion/pleading to be heard)*

to be held on *(date)* _____ at *(time)* ____:____ *(specify)* ___ a.m. / or ___ p.m. before the undersigned Circuit Judge. *(length of hearing reserved)* _____ is/are reserved for this hearing. Due to the ongoing COVID-19 pandemic, as of the date of entry of this order, the only “in person” hearings being held in the Family Law Division of the Sixth Judicial Circuit Court in and for Pinellas County, Florida are hearings involving the immediate safety of a person, such as domestic violence return hearings. Persons may NOT attend a hearing in person at the Courthouse absent express written order directing same. In the event this prohibition upon “in person” hearing is lifted prior to the hearing date set forth herein above, only then will the final hearing be held with the parties permitted to attend same in person at the Pinellas County Courthouse, 315 Court St., Room 484, Clearwater, FL 33756. Otherwise, **the hearing will be conducted via video-conferencing via Zoom.**

No account is necessary on Zoom to participate, and the parties may participate by going to <http://www.Zoom.us/> and click the link to “Join a Meeting” at the scheduled date/time set forth above using the following Meeting ID: _____ and password: _____. Persons participating in the Zoom hearing without a computer, tablet, i-pad, or smartphone having audio and visual capabilities may appear telephonically for the Zoom hearing by calling (646) 558-8656, (301) 715-8592, or (253) 215-8782 and using the same meeting ID and password.

FORM FOR NOTICE FOR TELEPHONIC HEARINGS

(PLEASE CUT AND PASTE THE FOLLOWING LANGUAGE FOR NOTICES)

THIS CAUSE is set for a hearing upon *(name of motion/pleading to be heard)*

to be held on *(date)* _____ at *(time)* ____:____ *(specify)* ___ a.m. / or ___ p.m. before the undersigned Circuit Judge. *(length of hearing reserved)* _____ is/are reserved for this hearing, which **will be conducted via telephone by calling** *(insert number provided by Judicial Assistant)*, **and conference code** *(insert code provided by Judicial Assistant)* _____ **at the date/time set forth above.** If, at the start of the hearing you are unable to connect to the conference call line please call (727) 464-3326 or e-mail the Court’s judicial assistant at section22@jud6.org for alternate connection methods.