

**HONORABLE GEORGE M. JIOTKA
CIRCUIT CIVIL SECTION 15
PINELLAS COUNTY COURTHOUSE
315 COURT STREET, ROOM 421
CLEARWATER, FL 33756
(727)464-3636
section15@jud6.org**

**Judicial Practice Requirements
Circuit Civil
(Updated March 2022)**

**DUE TO THE COVID-19 PANDEMIC, HEARINGS ARE CONDUCTED BY ELECTRONIC MEANS
UNTIL FURTHER NOTICE. WHEN HEARING TIME IS CONFIRMED, FURTHER
INSTRUCTIONS WILL BE PROVIDED**

**SECTION 15 CONFERENCE LINE INFO
1-888-585-9008
Conference Room Code 448-149-441#**

**IN ORDER TO PROVIDE YOU WITH THE BEST SERVICE POSSIBLE, THE COURT
HANDLES ALL COMMUNICATION BY EMAIL**

Counsel are encouraged to acquaint themselves with the Standards of Professional Courtesy for the Sixth Judicial Circuit [Administrative Order 2015-052 PA/PI-CIR](#) and the [Sixth Judicial Circuit Local Rules](#).

HELP FOR PARTIES WITHOUT ATTORNEYS

The Court/Judicial Assistant CANNOT answer your legal questions or “explain” things. Your opportunity to speak to the Court happens in Court only. The Clerk of the Court has a Self Help Program for self-represented litigants in the Pinellas County Courthouse and the St. Petersburg Judicial Building. Gulfcoast Legal Service can be reached in Clearwater at (727)443-0657 or in St. Petersburg at (727)821-0726. Bay Area Legal Services for Clearwater and St Petersburg are at (727)490-4040 or (800)625-2257. Lawyer referral services of the Clearwater and St. Petersburg Bar Associations are at (727)461-4880 and (727)821-5450, respectively.

HEARINGS ARE SCHEDULED THRU JAWS:

All motions must be docketed with the Clerk of Court prior to scheduling a hearing.

Section 15 utilizes the JAWS System for scheduling hearings 60 minutes or less. JAWS hearings are available in 15, 30 and 60 minute time slots. The website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx.

Please select the "Section 15 - Judge Jirotko's calendar to request your hearing.

The below information is required:

- (1) The date the motion was docketed with the clerk is required to schedule all hearings in JAWS. Hearing time cannot be provided until the motion has been docketed with the clerk. This may be added in the Description box. **Example: 122021 P/Motion to Compel Discovery**
Hearings will be CANCELLED if the date the motion was docketed is not provided.
- (2) If requesting a Case Management Conference, please indicate the issue.

Hearings are limited to the time reserved. The parties opposing the motion are entitled to equal time. Accordingly, the party reserving and scheduling the hearing shall confer with opposing counsel and agree to the actual time required to complete the hearing.

DO NOT FILE OR SERVE A NOTICE OF HEARING UNTIL YOU RECEIVE A CONFIRMATION FROM JAWS THAT THE DATE/TIME REQUESTED HAS BEEN SCHEDULED.

If you have requested a hearing time via JAWS it is not necessary to send an email to confirm. You will receive a 2nd confirmation from the JAWS system confirming that the case has been scheduled or if the hearing has been rejected (cancelled). The reason for the rejection/cancellation will be listed. The motion to be heard must be viewable on the Clerk's docket before requesting hearing time. There is some lag time between e-filing a document and when it shows on the docket. If the motion is not viewable on the docket the hearing will be cancelled. It is the scheduling party's responsibility to confirm that all counsel/associated parties are case connected when requesting hearing time to ensure all parties receive emails regarding the scheduling and cancellation of hearings. Failure to comply with this procedure can result in cancellation of your hearing. Attorneys only should be added as Associated Parties. Additional email addresses for notification may be added for staff under email address.

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. **Failure to comply with this procedure can result in cancellation of your hearing.** Attorneys and self-represented litigants only should be added as Associated Parties. Additional email addresses for email notification may be added for staff under email address, not as an Associated Party.

If a sooner hearing date is required than what is available on JAWS, please email section15@jud6.org to request this.

HEARINGS LONGER THAN 60 MINUTES:

Hearings more than 60 minutes in length must be scheduled by emailing the Judicial Assistant at section15@jud6.org. Please put the case number, style of the case (parties' last names), and matter to be heard in the subject line.

WHEN REQUESTING A HEARING, YOU MUST PROVIDE THE FOLLOWING INFORMATION:

- Case number & style (parties' last names)
- Names of attorneys for both Plaintiff and Defendant, and which attorney's office you are with
- Motion(s) to be heard AND the date the Motion(s) were docketed with the clerk-hearings will NOT be set without this information
- Requesting amount of time for said hearing

When you do not provide this information when confirming a hearing time, it requires another email from the Judicial Assistant referencing the above instructions again and could result in a delayed confirmation of the hearing time and possible unavailability of the hearing time.

HARD COPIES OF ALL MATERIALS TO BE CONSIDERED AT A HEARING ALONG WITH THE PROPOSED ORDER, COPIES OF THE PROPOSED ORDER TO CONFORM, AND SELF-ADDRESSED STAMPED ENVELOPES ARE REQUIRED TO BE RECEIVED BY THE COURT AT LEAST 5-7 BUSINESS DAYS PRIOR TO THE HEARING DATE BY MAIL OR COURIER.

Emails of motions and proposed orders are not accepted and will NOT be printed.

The Court does NOT accept thumb drives, discs or similar media.

CANCELLING HEARINGS: A Notice of Cancellation must be filed with the Clerk and a copy emailed to the Court **before** a hearing is removed from the Court's calendar. Please notate **CANCELLATION** and the case number in the subject line.

ADA LANGUAGE: Certain ADA language is required in all Notices of Hearing. Florida Rule of Judicial Administration 2.540 sets specific requirements regarding the ADA language in Notices of Hearing. The Sixth Circuit's latest issued Administrative Order on the subject: [Administrative Order 2018-041 PA/PI-CIR](#).

CROSS NOTICE HEARINGS: A motion will not be added to the calendar without approval of the Court. If you file a Cross Notice of Hearing without the approval of the Court, the Court will not hear the motion. Filing an Amended Notice of Hearing does not add the Motion to the Court's calendar and will not be heard.

PROPOSED ORDERS: Section 15 utilizes the JAWS system for submission of AGREED orders. Please make sure to read these instructions before requesting/submitted through JAWS. AGREED upon proposed orders may now be uploaded to JAWS for the Court's electronic signature or they may be sent in by US Mail/courier along with sufficient copies and self-addressed stamped envelopes.

The JAWS website is https://jawspinellas.jud6.org/jaws_attorney/login.aspx. Only agreed/consent orders shall be submitted through JAWS. If you have a problem with uploading, contact the JAWS Help Desk at (727)453-4357 or supportctr@pinellascounty.org.

All documents are to be uploaded as PDF documents. The instructions for uploading are as follows:

(1) JAWS submissions of proposed orders to the court should consist of one upload with cover letter and order uploaded by different tabs:

- a. The cover letter, with any motion, or stipulation (plus exhibits) should be uploaded in the Include Cover Letter section as one PDF file.
- b. The order or judgment ONLY to be reviewed and signed goes in the Document Title section. Title the document and then upload the order in the “browse” section.

(2) It should never be necessary to make a duplicate upload.

(3) Please make sure to leave plenty of space between the last line and the signature line to allow for the electronic signature.

(4) Do not submit proposed orders through JAWS in advance of a scheduled hearing unless specifically requested by the judge.

(5) Cover letter requirements:

a. Your cover letter must include express confirmation by a member of The Florida Bar that the proposed order has been shared with all other parties and that they have no objection as to its form or that they have failed to respond in a reasonable time with any specific objections (if there is an objection, submit the order by mail with an explanatory cover letter).

b. If your order is based on the judge's ruling after a hearing, state that fact, including the date of the hearing.

c. The cover letter must be copied to all parties including any pro se and defaulted parties and reflect same on the cover letter. 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 including any pro se parties. The Court and the clerk DO NOT maintain the associated party data base. Non-agreed upon orders must be submitted by US mail/Courier with cover letter, copies for conforming, and self-addressed stamped envelopes.

Proposed orders along with sufficient copies and stamped, self-addressed business size envelopes with counsel's return address thereon shall be submitted to the Court, not the Clerk, with a cover letter including the hearing date, if applicable, stating opposing counsel or pro se party agrees or objects to the proposed order or was given the opportunity to object to the proposed order but did not.

The orders must reflect the Court's correct location (Clearwater, Pinellas County, Florida) as well as the judge's full name below the signature line. **PLEASE STAPLE ALL PROPOSED ORDERS DO NOT STAPLE THE INDIVIDUAL ORDERS TO THE ENVELOPES.**

The Court **will not** hold ANY document or proposed order awaiting objection from another party.

Orders must **NOT** have the “DONE AND ORDERED” and Court's signature alone on a separate page. Some part of the body of the order must be included on the signature page.

SUBMITTING AN AGREED MANDATORY CIVIL CASE MANAGEMENT ORDER:

Proposed agreed civil mandatory case management orders may be uploaded to JAWS along with a cover letter. The Court may accept and sign such orders as deemed appropriate.

DISMISSAL ORDERS:

Any such Motion, Notice or Order must indicate if the entire case is being dismissed or only certain Defendants; if only certain Defendants are being dismissed, the Order must indicate the names of those Defendants and that the case continues with the other Defendants.

FINAL DISPOSITION FORM: Whenever a case is dismissed, with or without prejudice, a final disposition form must be filed pursuant to Florida Rule of Civil Procedure 1.100(c)(3).

A final disposition form **MUST** be provided with all proposed final judgments.

COURT REPORTER: If you would like a Court Reporter present for a hearing, you must arrange for a Court Reporter before the hearing is scheduled to start.

FAX / E-MAIL POLICY: The Court **does not** accept any motions or orders by email and/or facsimile.

MOTIONS: Motions must be filed and docketed with the Clerk **before** requesting hearing times from the Court.

DEPOSITION DISPUTES: If extremely critical, attempt an immediate telephone hearing. Otherwise, certify the question and set a hearing.

E-PORTAL FILINGS: Documents filed through the e-portal are **NOT** provided to the Court. If you want the Court to receive it, you **MUST SEND IT DIRECTLY TO THE COURT** by regular mail, courier or hand delivery. Do not send proposed orders through the e-portal.

MEDIATION: Mediation is required unless the Court decides otherwise. Trials (jury or non-jury other than foreclosures) will normally **NOT** be held unless mediation is completed. The case must be mediated within **1 year** of the trial.

EMERGENCY/EXPEDITED HEARINGS: These motions must be titled as such and must be filed with the Clerk **prior to submittal to the Court by courier or hand delivery** for determination of emergency or expedited status. Emergency motions **WILL NOT** be accepted by email under normal circumstances. If the motion is granted, a hearing will be set for a date and time the Court chooses. If counsel for movant is not available at the time the Court chooses for hearing, then it is not an emergency. Opposing counsel/pro se party is to be provided with a copy of the Motion in the same manner as the Court, unless reasons for no notice are stated. If the Court is unavailable, the emergency or expedited request should go to the duty judge regardless of whether or not the duty judge is assigned to a Civil Section.

SUBSTITUTION OF COUNSEL/WITHDRAWALS: Pursuant to Florida Rule of Judicial Administration 2.505(e)(2), stipulations for substitution of counsel require the party's written consent. Stipulations for withdrawal of counsel require the party's written consent; any withdrawal order must include future service address information for the party.

MOTIONS FOR REHEARING AND RECONSIDERATION: Will not be set for hearing initially. Submit a copy of the motion to the Court by mail, courier or hand delivery for entry of an order. If the Court determines a hearing is required, you will be contacted.

IF A CASE SETTLES OR CANCELLING A HEARING: Immediately send an email to section15@jud6.org to cancel any hearings or trials that may have been scheduled, notating **CANCELLATION** and case number in the email subject line and the dates/times of the hearings or trial.

MOTIONS DECIDED WITHOUT HEARING: See [Administrative Order 2020-011 PA/PI-CIR](#) and [Administrative Order 2020-012 PA/PI-CIR](#). An ex parte order may be entered requiring compliance with the original discovery demand within ten days when a motion alleges a complete failure to respond or object, and no request for extension. No sanctions will be awarded ex parte. Use form of order provided by the above AO.

The following motions generally may be considered by written submissions:

Motions to Compel

Motions for Default

Motions to Strike

Motions for Extension of Time

Motions to Dismiss

Motions to Substitute Counsel (must include client consent)

Involuntary Dismissal

Motions to Quash, Amend, Add Party, and Return of Original Documents

Motions to File Amended Complaint

Motions to Withdraw (must comply with Fla.R.Jud.Admin. 2.505)

Motions to Take Judicial Notice

Motions to Stay

Motions to Reschedule Mortgage Foreclosure Sale, Continuance

Motions for Judicial Disqualification

DEFAULTS: If a party has been defaulted, that party still must be served with pleadings, etc.

MOTIONS FOR JUDICIAL DEFAULT: Motions for Judicial Default can be submitted and considered:

1) On an ex parte basis as long as a Motion for Clerk's Default was submitted to the Clerk but not entered. A cover letter must be submitted stating why a Clerk's Default was not entered.

2) If an extension of time was granted and at the end of the extension time for a responsive pleading or answer to a complaint, that has been nothing filed, AND the order allowing the extension of time contains language that a default may be entered without further notice, then a copy of the Plaintiff's ex parte Motion for Judicial Default (confirming an Order allowing an extension was provided) may be sent to the Court by regular U.S. Mail along with a copy of the Affidavit of Non-Military Service and attached DOD confirmation, the proposed Order, copies and envelopes (WITH YOUR FIRM'S RETURN ADDRESS).

If the Order entered for the extension of time for a responsive pleading or answer to a complaint did not contain language that the default may be entered without further notice, then a Motion for Judicial Default based upon the other party's non-compliance MUST be filed and set for hearing with notice to all parties.

TRIAL PREFERENCES

Prospective Jurors

- Jurors may be pre-screened by way of a questionnaire upon being summoned by the clerk.
- A maximum of 30 jurors can be socially distanced.
- A jury 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 should not exceed 5 days or may result in a mistrial unless previously agreed to by the Court.
- Joint trial exhibit books should be used to the extent possible.

Voir Dire

- Limitation of 45 minutes for Plaintiff and Defendant.
- Attorneys will question the panel from podiums.

Attorneys

- Recommended that attorneys use video deposition whenever possible.
- Attorneys must provide new, unused pens and new, unused note pads for the jurors. The pens and note pads should be placed in adequately sized envelopes to allow each individual juror to remove/reinsert the pen and note pad when not in use.
- Remain at podium when questioning witnesses.

Exhibits and Evidence

- Exhibits submitted during a trial will be received and marked by the Court or the Deputy Clerk assigned to the trial.
- Parties are encouraged to prepare a joint trial notebook for exhibits to be admitted into evidence without objection.

Please follow the guidelines as set forth in the applicable Order Setting Jury (or Non-Jury) Trial and Pre-trial Conference. See [Administrative Orders 2019-025 PA/PI-CIR](#) and [2013-078 PA/PI-CIR](#).

MONTHLY JURY TRIAL CALENDAR: See [Court's Monthly Trial Calendar](#)

SETTING A TRIAL: A Notice for Jury (or Non-Jury) Trial in compliance with Florida Rule of Civil Procedure 1.440 must be filed with the Clerk, served and a copy sent to the Court by mail. The Notice should indicate the number of trial days sought. A Case Management Conference is NOT required to schedule a trial date. Mediation should occur within one year prior to the trial.

Once the above has been filed and a mediation date has been set, you may request available trial dates by emailing section15@jud6.org. Please include the following information:

Case Number & Style of Case

Names of parties and attorneys

Plaintiff: Plaintiff Attorney:

Defendant: Defendant's Attorney:

The date the Notice of Case is at Issue was docketed:

Number of days for Trial:

Date of Mediation and outcome: (mediation is required to be heard within one year of the trial)

Scheduling party, Plaintiff or Defendant

PRE-TRIAL: Discovery cut-off is found in the Order Setting Jury Trial and Pre-trial Conference. The parties will submit to the Court a uniform Pre-trial Conference Order agreed upon by the parties. Read and comply with all the deadlines and other requirements in this Order. All provisions will be strictly enforced.

The Court requires personal attendance at the pre-trial conference by attorneys who will be at the trial and pro se parties.

MOTIONS IN LIMINE: Motions in Limine **must** be heard prior to trial. Any anticipated Motions in Limine or Motions for Summary Judgment should be scheduled **EARLY**. Everyone is aware of the increase in volume of cases in the civil division and the difficulty in obtaining hearing times at the last minute. Motions not heard are waived. Failure to hear such motions is not a basis for a continuance.

VOIR DIRE: The entire jury panel will be seated in the gallery. A seating chart with jurors' names will be provided to the attorneys/pro se parties. The Court will initiate voir dire questions and then attorneys/pro se parties will follow with their inquiry. The time limit for voir dire will be discussed at the pre-trial conference.

PEREMPTORY CHALLENGES: Generally 3 per party with total for plaintiff to match total for defense.

DEMONSTRATIVE AIDS: If there is any demonstrative evidence that will be presented at trial, the attorneys/pro se parties need to share that with each other prior to the day of trial.

CONTINUE JURY TRIAL: If a hearing is required and the Court does not have hearing time prior to the pre-trial conference, the continuance will be addressed at the pre-trial conference. Compliance with the Order Setting Jury Trial and Pre-trial Conference is still required including preparation of a proposed Pre-trial Conference Order.

COURTROOM DECORUM: [Administrative Order 2015-052 PA/PI-CIR](#) contains the Standards of Professional Courtesy and Implementation Procedures for the Sixth Judicial Circuit, which will be strictly enforced. No speaking objections. All arguments are to be directed to the Court. Do not argue after the Court rules.

TECHNOLOGY: Arrange for use of technology, including but not limited to video and Power Point prior to the first day of trial. To do so, call the Sixth Judicial Circuit IT Department at (727)453-3495 to speak with Ken Brown for the Civil Clearwater Courthouse.

NON-JURY TRIAL/FINAL HEARING: If not a foreclosure case, a verdict form is required.

Currently, AOSC 2020-23 et seq. limit in-person hearings. The Court can do a Non-Jury Trial by Zoom but certain requirements must be met. The parties, their attorneys and witnesses (who will have to be in front of a notary) all must be on Zoom. All exhibits will have to be marked, sent by mail, courier or hand delivery and received by the Court 5 business days prior to the hearing. Exhibits will NOT be accepted by email or during the Zoom hearing.

FORECLOSURES

Please visit the Sixth Judicial Circuit website at www.jud6.org for the latest information regarding foreclosure cases. The procedures established in [Administrative Order 2019-004 PA/PI-CIR](#) should be followed in mortgage foreclosure cases filed in Pinellas County. **Review it carefully.**

This Court is implementing Section III (B): Motions Decided on Written Submissions. Pre-trial non-evidentiary matters will be decided without a hearing unless the Court desires a hearing, whereupon attorneys/pro se parties will be notified. For all pre-trial non-evidentiary matters that have not yet been set for hearing but have been filed, follow the procedures and time limits in Section III (B). An Order is required before issuance by the Clerk of a Writ of Possession; Writs of Possession may be considered ex parte by following the applicable procedures set forth in the Administrative Order.

To Cancel a Foreclosure Sale: Submit the following to the Court by mail, courier or hand delivery (not email or facsimile):

- Cover Letter
- Copy of the Motion (with blank for the reset date)
- Proposed Order
- Postage paid, addressed envelopes for all parties on service list
- Final Disposition Order

To Request and Set Foreclosure Cases for Non-Jury Trial:

Once a Notice for Non-Jury Trial has been filed, please submit the following to the Court by **mail, courier or hand delivery** (not email or facsimile):

1. Copy of the Notice for Non-Jury Trial (**indicating amount of time requested in the order**)
2. Copy of Certificate of Compliance Verifying Readiness for Foreclosure Non-Jury Trial
3. Order Scheduling Non-Jury Trial with the date and time left blank, along with sufficient copies to provide one for each party on the service list, as well as stamped, addressed envelopes

Once the Court receives these items, the Non-Jury Trial will be set for the next available date and time.

Ordering Mortgage Foreclosure Files:

It is the attorney/pro se party's responsibility to request the hard copy court file from the Clerk's office if needed at trial at least ONE WEEK IN ADVANCE (failure to make prior arrangements will not be grounds for a continuance).

- Directions:
- 1) Send an email message to civilatty@mypinellasclerk.org
 - 2) Subject line: **"File(s) needed for foreclosure hearing"**
 - 3) Mark as **"High Priority"**
 - 4) Body of email: provide case number, style of case, date of hearing & what is required.

*If the original note and mortgage is required, please email the Clerk's office at foreclosures@co.pinellas.fl.us.