

JUDGE WADDELL A. WALLACE III
CIRCUIT CIVIL DIVISION **CV-A**
NORMA PONDER, JUDICIAL ASSISTANT
501 West Adams Street, Room 7207
Hearing Room 743
Phone: (904) 255-1252
Fax: (904) 360-8480
EMAIL: NPONDER@COJ.NET

WEBSITE: [HTTP://WWW.JUD4.ORG/EX-PARTE-PROCEDURES-AND-DATES](http://WWW.JUD4.ORG/EX-PARTE-PROCEDURES-AND-DATES)

CV-A (CIVIL) PROCEDURES

SETTING CASES FOR TRIAL:

1. E-file a Motion to Set Trial....doesn't matter jury or non-jury.
2. Get Ex Parte dates...time is always 9:30 - 10:00; WITH EXCEPTION TO TELEPHONIC APPEARANCES – please schedule and call at 9:50 a.m. (See P. 5 below)
3. Coordinate which date is best for all parties.
4. File a Notice of Ex Parte Hearing for the chosen date (I do not calendar ex parte hearings).
5. Out of town attorneys may attend a Motion to Set Trial ex parte hearing telephonically. **Please schedule telephonic ex parte hearings at 9:50 a.m.** If there is more than 1 attorney appearing telephonically, all attorneys must be conferenced before calling the Court at 904-255-1252. Provide the JA with a copy of the notice for telephonic ex parte hearings.
6. Moving/Requesting party **must** complete a Trial Set Memorandum Form (form is located on the website or in the Hearing Room). Be sure the Memorandum includes all phone numbers and email addresses.
7. Judicial Assistant will prepare Order Setting Trial and Pre-Trial Conference.

****** When a case settles please contact the Judicial Assistant **ASAP** to have the case removed from the trial docket/calendar.

SETTING HEARINGS FOR PENDING MOTIONS:

The party requesting the hearing must contact the Judicial Assistant with the other party via telephone (up to 3 parties). If there are numerous attorneys (4 or more) in the case, then one must email the Judicial Assistant (nponder@coj.net) to receive dates/times. The parties will then coordinate amongst themselves. If necessary, request more dates/times as needed. Once a convenient date/time for all parties is confirmed, you will need to send an email to the JA with all parties copied. PLEASE DO NOT INCLUDE THE JA IN THE COORDINATING EMAILS. Once the hearing is calendared, the JA will respond to all parties confirming.

PLEASE NOTE: HEARING DATES PROVIDED ARE NOT HELD AND MAY BE GIVEN TO OTHERS; HEARING DATES ARE NOT SECURED UNTIL CONFIRMATION IS SENT FROM THIS OFFICE.

COURTESY COPY:

A courtesy copy (hard copy) of all motions and anything pertaining to the motion/hearing is required for ALL time certain scheduled hearings, including the Notice of Hearing. A hard copy of any Motion and/or Petition that may be referred to during the scheduled hearing...i.e., Motion to Dismiss requires a hard copy of the Complaint. Also, helpful or useful is any memorandum(s) or case law regarding the pending motion. Please submit the hard copies at least one (1) week prior to the scheduled hearing. Please provide these hard copies via U.S. mail. Not complying with the Court's request for copies may result in the hearing being canceled without notice.

CANCELLATION OF HEARING and/or TRIAL:

When cancelling a hearing, please call or send an email notifying the Judicial Assistant of the canceled hearing. The Judicial Assistant will confirm the cancellation. However, do NOT assume the hearing is automatically removed. If you do not receive a phone call or email confirming the cancellation, then please try contacting the Judicial Assistant again. For the record, a Notice of Cancellation shall be e-filed with the Clerk if the hearing is not going to be rescheduled right away. Please forward a copy of the Notice of Cancellation with your email notification. Of course, if it is rescheduled, then an Amended Notice of Hearing shall be e-filed and copy provided.

EMERGENCY MOTIONS / MOTION FOR REHEARING / MOTION FOR NEW TRIAL:

The motions should be e-filed with the Clerk of Court. The Court requires a copy for review to be delivered to the office by mail, hand delivery, or email. However, any large documents (anything over 25 pages) must **NOT** be emailed, unless otherwise instructed. PLEASE ONLY ONE COPY...one is sufficient. If any party would like a hearing set on the Motion, you will contact the Judicial Assistant for a hearing date/time to be set on the calendar at a convenient time for all parties.

ALL PROPOSED ORDERS MUST INCLUDE THE FOLLOWING:

1. A cover letter indicating what the Order is for....i.e. hearing (including the hearing date), dismissal, etc. The cover letter should also indicate if it is consented to or objected, and that all parties are copied with same. The cover letter and order may be emailed (Order only should be in Word or WP format) to the JA with all parties copied. **PLEASE DO NOT EMAIL YOUR PROPOSED ORDER AND MAIL IT VIA USPS—sending it both ways causes duplication.**
2. A consented or agreed to order should have in the caption “Consent” or “Agreed”, or it should have both or all parties signatures.
3. Service list should contain appropriate email/efile addresses for all parties to be copied on.

NOTE: Any complex Orders should be also sent via email in WordPerfect or Word format.