

JUDGE ROBERT M. DEES

Circuit Civil Division CV-C
Foreclosure Division FC-C

Duval County Unified Courthouse
501 W. Adams Street, Suite 7259
Jacksonville, Florida 32202

Linda Blackman, Judicial Assistant
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Hearing Room 734 (Division CV-C)
Courtroom 609 (Division FC-C)

Website: [HTTP://www.jud4.org/ex-parte-procedures-and-dates](http://www.jud4.org/ex-parte-procedures-and-dates)

CV-C (CIVIL PROCEDURES)

SETTING CASES FOR TRIAL:

1. E-file a Motion to Set Case for Trial (jury and non-jury trial).
2. Get ex parte dates from the Court's website and coordinate with opposing counsel which date is best for all parties. Ex parte hearings are not coordinated with the Judicial Assistant. **Telephonic hearings on a Motion to Set Case for Trial must be coordinated with the judicial assistant and opposing counsel and will not be scheduled during ex parte hearing time.**
3. E-file a Notice of Ex Parte Hearing for the chosen date. Courtesy copies of the uncontested motion and hearing notice are to be provided to the Judge at the hearing and not sent to the Judicial Assistant.
4. The moving party must provide to the Court a courtesy copy of the Motion to Set Case for Trial or uncontested continuance motion AND complete a **Division CV-C** Trial Set Memorandum form. The form can be found on the Court's website and in the hearing room. As noted on the form, please include telephone numbers and email addresses for counsel AND for e-filing.

5. The Judicial Assistant will prepare the trial Order.
6. When a case settles, please contact the Judicial Assistant **ASAP** to have the case removed from the trial docket/calendar.

EX PARTE HEARINGS:

1. Ex parte hearings are for **uncontested** matters only. Courtesy copies of the uncontested motion and hearing notice are to be provided to the Judge at the hearing and not sent to the Judicial Assistant.
2. Telephonic appearances are **not** allowed during ex parte hearing time.

SETTING HEARINGS FOR PENDING MOTIONS:

The party requesting the hearing can call the Judicial Assistant with the assistant(s) for opposing counsel on the line (at the time of the call). Be prepared to provide the case number, the motion(s) to be set for hearing and how much time is being requested. Alternatively, the party requesting the hearing can email the Judicial Assistant and copy the assistant(s) for opposing counsel and provide the same information. The Judicial Assistant will respond to all with available hearing dates/times. **PLEASE NOTE: HEARING DATES/TIMES PROVIDED ARE NOT HELD AND MAY BE GIVEN TO OTHERS. HEARING DATES/TIMES ARE NOT SECURED UNTIL CONFIRMATION IS SENT FROM THIS OFFICE.**

If out-of-town counsel would like to attend a hearing up to 30 minutes telephonically, the request must be made at the time the hearing is first requested. The request may or may not be approved. If approved, a motion and order allowing the telephonic appearance are not required. **Appearing telephonically is a privilege and counsel must call directly into the hearing room promptly at the time of the hearing.** The hearing room telephone number will be provided once approved. If multiple attorneys are approved to attend telephonically, please have all counsel on the line prior to calling into the hearing room. Any difficulties may cause the Court to not allow future telephonic appearances.

CANCELLATION OF HEARING:

When canceling a hearing that you have set, please call the Judicial Assistant with opposing counsel's office on the line. You may also email the Judicial Assistant and copy opposing counsel's office notifying the Judicial Assistant of the cancellation. **DO NOT** assume the hearing is automatically removed from the Court's calendar. If you do not receive a

telephone call or email confirming the cancellation, please try contacting the Judicial Assistant again. **A Notice of Cancellation that has been e-filed with the Clerk is not sufficient notice of a cancellation. Cancellation of a hearing MUST be confirmed by the Judicial Assistant.**

COURTESY COPIES:

Courtesy copies (hard copies) of all Court filings pertaining to a motion set for a time certain scheduled hearing **MUST be provided to the Court no later than ten (10) business days prior to the scheduled hearing or immediately if the hearing is scheduled within that time period.** Courtesy copies are to be hand delivered with a cover letter or mailed with a cover letter. All opposing counsel/unrepresented parties must be copied with the letter and the enclosure(s), if the enclosure(s) not previously provided through the e-portal/service of process, and specify on letter. Not complying with the Court's request for copies may result in the hearing being cancelled without notice.

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

The motion should first 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 (over 20 pages, including attachments) must NOT be emailed. If any party would like a hearing set on the motion, that party will contact the Judicial Assistant consistent with the instructions above.

PROPOSED ORDERS AFTER A HEARING:

Proposed orders after a hearing are to be timely submitted in Word or WordPerfect format to the Judicial Assistant via email with opposing counsel/unrepresented party copied. The email should include a cover letter to the Court stating that opposing counsel/unrepresented party has been provided with the same materials being provided to the Court, the date of the hearing and whether opposing counsel/unrepresented party agrees with the language of the proposed order. The order service list must contain e-filing addresses for opposing counsel/unrepresented party. If an unrepresented party does not receive e-filings, counsel must immediately mail or hand deliver to the Court an addressed, stamped envelope.

If counsel does not have an email address for an unrepresented party, counsel must mail or hand deliver the proposed order and letter to the Court consistent with the instructions above.

NOTE: Any complex orders should be submitted in Word or WordPerfect format via email to the Judicial Assistant with a cover letter consistent with the instructions above.

PROPOSED ORDERS WITHOUT A HEARING:

Proposed orders without having had a hearing can be submitted to the Court via mail or hand delivery, **with a cover letter**, which must be copied to opposing counsel/unrepresented party. A courtesy copy of the motion, joint stipulation, etc. related to the proposed order must be provided. The letter must state that opposing counsel/unrepresented party has been provided with the same materials being provided to the Court and whether opposing counsel/unrepresented party agrees with the language of the proposed order. The service list on the order must contain e-filing addresses for opposing counsel/unrepresented party. If an unrepresented party does not receive e-filings, counsel must immediately mail or hand deliver to the Court an addressed, stamped envelope.

If counsel does not have an email address for an unrepresented party, counsel must mail or hand deliver the proposed order and letter to the Court consistent with the instructions above.

FC-C (RESIDENTIAL FORECLOSURE PROCEDURES)

Motions and non-jury trials in residential mortgage foreclosure cases may be scheduled by emailing to the Judicial Assistant at lblackman@coj.net a completed Request for Hearing Time and Date form, which can be found on the Court's website.

1. Please use the Request for Hearing Time and Date form specific for Division FC-C and email your request copying opposing counsel, if any.
2. The Judicial Assistant will respond via email with the hearing/trial date and time.
3. The requesting party is responsible for noticing the hearing. All hearings will be held in Courtroom 609 unless otherwise indicated.
4. An Order Setting Non-Jury Trial must be submitted to the Court via hand delivery or U. S. mail after scheduling the non-jury trial. The order must be accompanied with a letter, which must be copied to opposing counsel/unrepresented party. Sufficient copies of the order are to be provided along with addressed, stamped envelopes for unrepresented parties not receiving e-filings. The Judicial Assistant will e-file the order once signed by the Judge. Counsel will receive the signed Order through the e-portal.
5. TELEPHONIC APPEARANCES ARE NOT ALLOWED in the foreclosure courtroom. You must personally appear or have local counsel appear.