



Angela M. Cox
Circuit Court Judge
Chamber 4-081
904-529-2704

Judge William A. Wilkes Judicial Complex
(Clay County Courthouse)
825 N. Orange Avenue
Green Cove Springs, FL 32043

DEPENDENCY DIVISION
Practices and Procedures
Judge Angela M. Cox
Clay County, Division E

Dependency Cases

Child Protective Investigators (CPI) from the Department of Children and Families (DCF) investigate reported cases of abuse, neglect and/or abandonment. After an investigation, either the family is offered volunteer services, and the case is not submitted for Court supervision, or a Petition is filed with the Court under Chapter 39 of the Florida Statutes. In either circumstance, the child/ren and their family will work with DCF and/or Camelot Community Care, which is the community provider for DCF.

If the child/ren is removed from the home, a Shelter Hearing must be heard within 24 hours of removal. At the time of the Shelter Hearing, an attorney(s) will be appointed if the parent(s) qualifies for appointed counsel based on his/her income. At the time of the Shelter Hearing, the judge will determine the child/ren's placement, visitation with the family, and any other needs for the family that need to immediately be addressed such as education, mental health, and medical needs for the child/ren. Thereafter, the Court will have follow-up hearings to monitor the safety and well-being of the child/ren, ensure all parties' due process rights are preserved, and help the child/ren work towards achieving permanency.

The main hearings in a Dependency case (Shelter, Arraignment, Trial, Disposition, Judicial Review, Permanency Hearing, and Advisory) are required to meet state and federal statutory guidelines.

IF YOU HAVE A SHELTER HEARING:

If a Shelter Hearing is scheduled in any Dependency case, it will be held via Zoom.

Effective December 19, 2023

The Zoom Hearing Rules and Tips are as follows:

- This is a court proceeding and therefore an extension of the courtroom. Appropriate conduct and attire are required and expected. During hearings, parties should conduct themselves as they would in real-life courtroom hearings: appropriately dressed; not smoking, eating, drinking or chewing gum; appropriately prepared and without distractions, while refraining from multitasking on other matters
- Rename your device with your First and Last name for Admittance.
- It is your responsibility to ensure that your audio and video connections work PRIOR to your court proceedings. PRACTICE with ZOOM before your proceeding to ensure you can be heard and seen. You must have internet access or a substantial LTE mobile data plan to ensure a quality connection.
- Have your phone/computer fully charged & keep a charging cord and outlet nearby if possible.
- If you are calling in to the proceeding in the same room as another person in the same proceeding, feedback and an echo will occur, making it difficult to hear you.
- You should be in a quiet location. Outdoor, moving vehicles and public places are not ideal. Background noise is disruptive to the proceedings. Please limit.
- Upon entering the Zoom Courtroom all parties should be ‘MUTED.’ Once your case is called, you should be unmuted as necessary so you can actively participate.
- You may be kept in the Zoom “Waiting Room” until your case is ready to be called. Please have patience and know you will be admitted to the VIRTUAL COURTROOM when Judge Cox is ready to begin handling your case.
- Please also be quiet and/or mute yourself if you are admitted to a VIRTUAL COURTROOM and the judge is not yet handling your case.
- During the proceedings, stay within the view of the camera until your case has concluded.

REFERRAL TO THE GENERAL MAGISTRATE

This Court refers matters to the General Magistrate for consideration and/or hearing. General Magistrate K. Beth Luna is the General Magistrate assigned to this division, so it is important to note whether your Notice of Hearing requires you to appear before Judge Cox or General Magistrate Luna when appearing for a case.

IF YOU HAVE A QUESTION:

Any parent, Child Advocate, Guardian ad Litem, caregiver, provider or interested party with questions regarding these procedures is urged to call, e-mail or text their lawyer. The Judge's Judicial Assistant, Donna Gonzalez, may also be able to assist in limited matters but parties should consult with their counsel first. The Judicial Assistant cannot and will not give legal advice.

COMMUNICATION

The Court is not permitted to communicate with parties without the presence of all parties. The Code of Judicial Conduct requires that Judges remain neutral and impartial in cases. The rules and statutes generally require that the Court only consider motions scheduled for hearings which are served on all of the parties.

The Code also prohibits Judges from considering *ex parte* communications. *Ex parte* means from one side without notice to the adverse party and outside the presence of the parties concerning a pending or impending matter.

*****EX PARTE COMMUNICATIONS ARE NOT RECEIVED OR REVIEWED BY THE COURT*****

The Code of Judicial Conduct precludes Judicial Assistants and other courtroom staff from speaking to parties about substantive matters in any case. Furthermore, the Judicial Assistant and other court personnel are not legally qualified to provide legal advice to anyone.

In addition, the Code of Judicial Conduct also prohibits judges from considering ex-parte (or one-sided) communications. As a result, any issue to be considered by the Court should be in the form of a Motion filed with the Clerk of Court and copies provided to all parties of record. However, the mere filing of a Motion with the Clerk's Office does not bring the matter before the judge. A copy must be provided to the judge with a cover letter or email explaining how much time is necessary for the matter to be heard. The letter should also include information regarding whether evidence (i.e. – testimony) will need to be considered at the time of the hearing. All such correspondence should be sent to the Judge's Judicial Assistant, Donna Gonzalez at gonzalezd@clayclerk.com.

COMMUNICATION FROM NON-PARTIES

The Court is always interested in hearing information related to what is in the best interest of the children in these cases. You are welcome to attend the next court hearing as the law allows; attendance is allowed in person or by phone to address the Court with all of the parties present.

MOTIONS

Requests for relief must be in the form of a motion or formal pleading and filed with the Clerk of the Court. The opposing counsel/party must be copied on any correspondence and pleadings filed, without which the inquiry may not be considered.

SUBMISSION OF MATERIALS TO THE COURT

Not only is a party required to disclose materials to opposing counsel and all interested parties, but filings and supplemental material that Judge Cox is to consider must also be provided to the Court in advance of any hearing. While the Court makes every effort to review all filings prior to hearings, courtesy copies of any materials including, but not limited to, motions, reports, drug screen results and home studies, that are to be considered by the Court at a hearing, must be filed *at least* 2 business days before the hearing. Courtesy copies can also be emailed to Judge Cox's chambers via email.

CONSULTATION WITH OTHER PARTIES AND REQUIREMENT FOR GOOD FAITH CONFERRAL

At the end of any motion not agreed upon by the parties, counsel for the moving party shall certify either: (A) that counsel for the movant has conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and has been unable to do so; or (B) that counsel for the movant has made reasonable efforts to confer with all parties or non-parties who may be affected by the relief sought in the motion, which efforts shall be identified with specificity in the statement, but has been unable to reach the other parties or non-parties whose input is necessary.

If certain of the issues have been resolved by agreement, the certification shall specify the issues so resolved and the issues remaining unresolved.

PROPOSED ORDERS

Proposed Orders shall be submitted to the Court within 14 days unless otherwise specified at the hearing/trial. After a hearing, if an Order needs to be submitted to the Court, the Order shall be circulated among the parties for approval. Once approved or after a reasonable period of time has elapsed for a party to voice an objection to the proposed Order, it shall be the responsibility of the proponent of the hearing/motion to submit the proposed Order to the Court via email for signature.

If there remains disagreement among the parties as to any of the terms of an Order after a proposed Order has been circulated, the proponent of the hearing/motion shall submit the proposed Order along with an email outlining

which areas there was disagreement so the Court can determine the appropriate language before signing the Order.

AGREED/CONSENT ORDERS

Before submitting an Order to the Court as “Agreed,” or “Consent,” the office preparing the Agreed/Consent Order must provide an advance copy to the opposing side and confirm there is no objection to the form of the Order prior to submitting it to the judge. When submitting such an Order, notification shall be given to the judge that the opposing side either agrees to the Order and/or has no objection/position to the relief being ordered. Such agreement can be indicated in either the title of the Order and/or the cover letter accompanying the submission.

When submitting such proposed Orders, please include a copy of the Motion.

HEARINGS

All hearings are set by the Court, the Judicial Assistant, or the Clerk of Court. If you need to set a hearing, a Motion must be filed with the Clerk and a courtesy copy delivered to the Judicial Assistant via email. Your email should include whether the hearing is evidentiary in nature and how much time is being requested. All parties of record should be included in any and all email communications.

ADD-ONS

To ensure that all parties and cases have adequate time to be heard, the Court tries to run its dockets so matters can be heard in a timely manner. No add-ons of any hearing is permitted at any time, unless approved by the Court. If a matter is not set on the docket, do not expect it to be heard – even if you are in front of the Court on a case and/or a related matter. If a party tries to have a matter heard that is in addition to that which is already set, there will likely be inadequate time for consideration of all issues and/or it will delay subsequent hearings for other parties and/or cases. As such, no party shall “add on” additional matters to a pre-scheduled hearing unless the addition is approved by the Court.

CANCELLATIONS

In order to maximize the Court’s time and ensure the Judge’s time is used as efficiently as possible to allow all parties as much access to the Court as possible, please notify Judge Cox’s office of any cancellations as soon as practicable.

REMINDER

These procedures are designed to provide you with as much information as possible regarding this division’s procedures. Please review these procedures carefully before calling to ask questions and/or before submitting something to this Court for review.

All unrepresented parties shall be treated as reasonably competent counsel as required by Florida law, and are strongly encouraged to sign up for the Florida Courts E-Filing Portal at <https://www.myflcourtaccess.com/default.aspx> so as not to be disadvantaged relating to prompt notice of documents filed and hearings set.

All unrepresented parties shall complete the Designation of Current Mailing and E-Mail Address Family Law Form 12.915 and read its instructions thoroughly. The form may be found at <https://www.flcourts.org> or a hard copy may be retrieved from the Clerk's Office.

THANK YOU FOR YOUR COOPERATION.