

**JUDGE WADDELL A. WALLACE III**

CIRCUIT CIVIL DIVISION **CV-A**

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**PROCEDURES FOR DIVISION CV-A - CIVIL**

Most hearings set for 30 minutes or less will be conducted by Zoom Conference. Some matters 30 minutes or less may be in person and the Order Setting or Notice of Hearing the matter prevails. The Zoom information is provided when the hearing is confirmed being set on the Court's calendar. The parties shall make arrangements to accommodate any court reporters being used for hearings. Please request an in person appearance at the time the request for the hearing is made.

**SETTING CASES FOR TRIAL AND EX PARTE PROCEDURES**

Setting cases for trial will be done through e-mail. The trial set memoranda, along with available trial dates, are posted on the judges' webpage at [jud4.org/ex-parte-procedures-and-dates](http://jud4.org/ex-parte-procedures-and-dates). The parties shall complete all information in the form, **including the desired mediator and trial date**, and submit it as an e-mail attachment to the judge's judicial assistant along with the Motion to Set Trial. Any disagreements on mediators or trial dates shall be included in the email along with each party's recommendation.

**Continuing trials.** Cases set for trial are not continued without a new trial date being selected by the parties and included in the order granting a continuance of a trial.

For any ex parte matters that need to be heard, counsel should forward the motion, supporting documentation and proposed order (in Word format) to the Judicial Assistant via the e-portal. The Court will review and act upon the paper record if appropriate. If a hearing is required, you will be notified of the need to set the matter for hearing and dates will be provided. Any items set during posted ex parte dates will need to be placed on the calendar and a confirmation email will be provided confirming the matter is set during ex parte.

### **SETTING HEARINGS FOR PENDING MOTIONS:**

Before a hearing can be set the motion should be filed and appear on the Clerk's docket. Counsel should request hearing dates by email. Email the Judicial Assistant (sevans1@coj.net) including all parties with the name of the motion, the amount of time needed for the hearing to receive dates/times. The parties will then coordinate amongst themselves, and if necessary, request more dates/times as needed. Once an agreed date/time for all parties is selected, email 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 the hearing is set. Counsel should prepare and file the Notice of Hearing which should contain the docket line number of the motion being heard.

Information needed by the Judicial Assistant to schedule the hearing:

Case number in subject line of the email and brief case style. Include in the email Plaintiff or Defendant's motion to be heard, the docket line #, and the amount of time needed for hearing to be conducted.

**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:**

The Notice of Hearings should include the docket line number of the motions being heard. Notice of Hearings should be filed with the Clerk of Court and appear on the docket prior to the hearing date.

If counsel would like the Judge to have courtesy copies for a hearing, motions, memorandum of law, or case law, and these are 20 pages or over, hard copies should be inside the Courthouse at least **three to five** business days prior to the scheduled hearing date. Please provide hard copies via U.S. mail, FedEx, UPS, or hand delivery.

**TELEPHONIC APPEARANCES AT HEARING: Currently does not apply to hearings that are 30 minutes or less as they are typically being conducted by Zoom conference.**

If counsel wish to appear telephonically at a hearing it is best to make this request when the hearing is being scheduled. Telephonic appearances are allowed provided there is no objection from opposing counsel. If there is an objection to a

telephonic appearance, a motion to appear telephonic should be filed and a proposed order should be provided for the Judge's consideration.

**INSTRUCTIONS FOR PROPOSED ORDERS – THEY SHOULD BE SUBMITTED THROUGH THE E-PORTAL, with some exceptions below, see instructions below:**

1. **\*When an order is submitted where there is an unrepresented party or parties not receiving service through the e-portal, the attorney is responsible for ensuring copies of the Order are mailed to any unrepresented party and a Notice of Service is filed on the case.**

2. **PLEASE DO NOT SUBMIT THE SAME PROPOSED ORDER THROUGH THE EPORTAL AND BY EMAIL — sending it both ways may cause duplicate entry of an order.**

3. Proposed orders should be submitted through the e-portal. See instructions below.

4. A cover letter should indicate what the Order is for... i.e. hearing (including the hearing date), consent order, if it is consented to or if opposing party objects, and all parties are copied with same. The cover letter, copy of motion and order should be submitted through the e-portal. (Order must be in Word format, and cover letter and motion are in .pdf format).

5. Service list should contain appropriate email addresses for all parties to be copied.

6. A consented or agreed to order should have in the caption "Consent" or "Agreed", or it should have both or all parties' signatures.

**7. Exceptions to submitting proposed orders through the e-portal:**

If there is an Exhibit or Exhibits to be attached to a Final Judgment/Order, please send via email, including a cover letter, copy of the motion and only the proposed order is in Word format.

If the Judge instructs counsel to submit order via email (in Word format), any complex Final Judgements following a hearing, or orders where counsel are not in agreement with the proposed order (competing proposed orders). Please include this is at the Judge's instruction in the email.

Orders submitted through the **e-portal** should contain: DDDD, JJJJ and CCCC

Orders submitted via **email** need to include place for the date to be inserted, year and line for the Judge's signature. (... this \_\_\_\_ day of month, 2024.)

The word “Proposed” should **NOT** be in the title of the order.

### **CANCELLATION OF HEARING and/or TRIAL:**

When cancelling a hearing, please send an email notifying the Judicial Assistant of the canceled hearing and call the office and leave a brief voice message. 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. If it is rescheduled hearing, then an Amended Notice of Hearing shall be e-filed.

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

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

The motions should be e-filed with the Clerk of Court, and submit a courtesy copy emailed for review. However, any large documents (anything 20 pages or over) may be submitted but are **NOT** printed by the Court. PLEASE ONLY ONE COPY....one is sufficient. If any party would like a hearing set on the Motion, please contact the Judicial Assistant for a hearing date/time to be set on the calendar.

## **Procedures for Submitting a Proposed Order for Division CV-A**

**\*\*\* PLEASE be sure you are using one of the Proposed Order templates found on our website at <https://www.jud4.org/Proposed-Orders-EFiling.aspx>. Save these templates to your own PC and re-use them for all Proposed Orders you submit in Duval County. Any Proposed Order received that does not include one of our templates will be subject to rejection by the Court. \*\*\***

1. Proposed Orders **MUST** be submitted in Microsoft Word .docx format (Word 2016 or newer).
2. A Cover Letter is also **REQUIRED**. Please submit a .pdf page as your Cover Letter with any details that would normally be given to the Judge/JA via email for the Proposed Order (Ex: Stipulation agreed upon by both attorney's). This Cover Letter will be uploaded to the portal as a separate document from your Proposed Order.
3. The corresponding Motion **MUST** be filed along with the Proposed Order and Cover Letter. This Motion must be attached behind the Cover Letter as a combined single document before being uploaded to the E-Portal.
4. Proposed Orders in Duval County **MUST** include DJMCA formatting.
  - A. DJMCA Format: DJMCA is how ICMS (Duval Judicial Bench-viewer) knows where to place a signature, signature date or other code details such as the service list. Please be sure to place the codes in the proper position on the Proposed Order. For example, be sure the DJMCA code for Judge's signature is right justified at the bottom of your Proposed Order just as a usual signature would be.
    - a. You must use DJMCA codes in pairs (e.g., JJJJ & DDDD for Judge's signature).
    - b. The codes **MUST** be in all CAPITAL LETTERS.
    - c. You must add **ONLY** 4 letters for each field.
    - d. These codes **MUST ONLY** be used once per line. Two codes per line will not work.

### **DJMCA Codes in Pairs:**

- 1) DDDD = Judge Signature Date / JJJJ = Judge Signature
- 2) RRRR = Reported and Recommended Date / GGGG = General Magistrate or Hearing Officer Signature.
- 3) CCCC = Service list (pulls from the E-Portal service list)

## **PROPOSED ORDER DOCUMENT FORMATTING GUIDELINES**

**\*\*\* Failing to abide by any of the following formatting guidelines will subject your Proposed Order to rejection by the Court \*\*\***

### **Proposed Order Document:**

- The Proposed Order must be a Microsoft Word Document (.docx).
- Once the Judge signs the Proposed Order electronically, all Proposed Orders are required to be converted to a PDF/A compliant document for E-Filing by the E-Portal. Therefore, check and save your Word document as a PDF to see if there are

any potential formatting issues that need attention. This includes any of the DJMCA codes).

- Plain text must be used; Any additional formatting like TEXT boxes, macros, formulas, Word field codes, etc., could present an issue for the Judge when signing electronically.
- If you or your system is using any system or application to bulk generate Word documents, please check all hidden fields or special characters by clicking the “Show/Hide” button in Word to discover hidden characters like spaces, paragraph markers or hidden tab marks.
- Your Word document should be completely void of any page breaks, line breaks and section breaks, as they pose a significant risk for PDF/A conversion and electronic signing.
- If you are submitting multiple Proposed Orders within a single filing, each order MUST be uploaded as a separate document on the E-Portal.
- All Proposed Orders MUST include the Unified Case Number (UCN).
- Be sure NOT to include or attach any exhibits to your Proposed Order as it will present an issue for the signature and PDF/A conversion process.
- When working from the templates we have provided to you on our website, please keep in mind the DJMCA code for Judge’s signature will be replaced by a signature that will occupy 4 lines. Keep your formatting such that the signature does not land on a page by itself.
- Please be sure your Proposed Order is void of ANY images.

BELOW IS EXAMPLE OF THE PROPOSED ORDER AND FORMATTING  
NO BLOCK FORMATTING SHOULD BE USED

PLEASE DO NOT PUT “**PROPOSED**” IN THE TITLE OF THE ORDER

IN THE CIRCUIT COURT OF THE  
FOURTH JUDICIAL CIRCUIT IN AND  
FOR DUVAL COUNTY, FLORIDA

CASE NUMBER: 16-Year-CA-number  
DIVISION: CV-A

Plaintiff,

vs.

Defendant.

\_\_\_\_\_ /

**TITLE OF ORDER**

THIS CASE is before the Court on

Accordingly, it is

ORDERED:

**DONE and ORDERED** in Jacksonville, Duval County, Florida on DDDD.

JJJ

CCCC

## **TRIAL TECHNOLOGY**

The Court allows parties to utilize technology in their trial presentations. Counsel is responsible for having any technology set-up and ready to use during the trial without causing unnecessary delay. Please contact the Court's Information Technology department at <https://www.jud4.org/Technology.aspx> to coordinate any technological issues in advance of the trial or hearing.

## **VOICE MESSAGES AND EMAILS:**

Emailing tips: The subject line should contain the case number along with a brief case style. Placing "hearing request", "cancelling \*date of hearing\*" or "proposed order" in the subject line helps Judicial Assistants process emails in a timely and more efficient manner. (EX: Hearing request/ cancelling/confirming hearing / proposed order Case 2024-CA-9876 Joe Smith v. Universal)

If you get the voice message, please speak clearly and leave a brief message with your name, telephone number, and case number. The call will be returned as time permits. DUE TO THE HIGH VOLUME OF CALLS AND EMAILS PLEASE ALLOW at least 2-3 BUSINESS DAYS BEFORE A FOLLOW-UP REQUEST. Please do not send an email then immediately leave a voice message stating you sent an email or asking if the email was received. Kindly allow at least 2-3 business days for a return on either an email or voice message before a follow-up request unless it is a truly emergent matter.