

JUDGE Eleni Elia Derke  
COUNTY COURT DIVISION J

DUVAL COUNTY UNIFIED COURTHOUSE  
501 W. ADAMS STREET, SUITE 7180  
JACKSONVILLE, FL 32202

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CC-J (CIVIL PROCEDURES)

Currently hearings are being conducted In- Person in Hearing Room 728. Unless the parties request to appear by Zoom.

**SETTING CASES FOR HEARING:**

**The Motion must appear on the docket prior to requesting hearing times.** The party requesting the hearing can email the Judicial Assistant and copy the assistant(s) for opposing counsel. Please provide the case number in the subject line of the email and in the body of the email provide the Motion(s) to be set for hearing and how much time is being requested. The Judicial Assistant will respond to all with available hearing dates/times. The party requesting the hearing will be responsible for noticing the hearing. If the case settles, please notify the Judicial Assistant **ASAP** so the hearing can be removed from the Judge's calendar.

**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.**

**CANCELLATION OF HEARING:**

When canceling a hearing that you have set, email the Judicial Assistant and copy opposing counsel's office notifying the Judicial Assistant of the cancellation and why the case has been cancelled. **DO NOT** assume the hearing is automatically removed from the Court calendar. A Notice of Cancellation that has been efiled with the Clerk is not sufficient notice of a cancellation. Cancellation of a hearing **MUST** be confirmed by the Judicial Assistant.

**PLEASE NOTE: UNLESS THE MATTERS AT ISSUE IN THE HEARING HAVE BEEN RESOLVED BY THE PARTIES, THE COURT DOES NOT PERMIT THE UNILATERAL CANCELLATION OF HEARINGS WITHOUT COURT APPROVAL.**

**COURTESY COPIES:**

Courtesy copies of motions and memoranda should be delivered to the Court at least three days before a scheduled hearing on the matter. Motions, pleadings, and memoranda may be provided by e-mail as well as U.S. Mail or hand delivery. However, voluminous pleadings **(more than 20 pages, including attachments) must not be emailed.** They will need to be provided via hand-delivery, U.S. Mail, or other delivery service. **Any binders containing case law shall be received by the Court at least 5 days prior to the hearing.**

#### **PROPOSED ORDERS FOLLOWING A HEARING:**

The Court may request the lawyers prepare proposed orders pursuant to the Court's verbal recitations of rulings made during a hearing. Such proposed orders after a hearing are to be timely submitted to the Court as follows:

1. If there is an unrepresented party involved in the case not using e-Portal, the party presenting the proposed Order, shall be responsible for providing a conformed copy to the unrepresented party.
2. If all parties before the Court are using e-Portal, the proposed Order may be emailed to the Court in Microsoft Word format or submitted through the e-portal by following the directions in the link.

<https://www.jud4.org/Top-Navigation/Court-Administration/Proposed-Orders-EFiling.aspx>

#### **PROPOSED ORDERS WITHOUT A HEARING:**

1. Proposed Orders without a hearing may be submitted to the Court in Microsoft Word or through the e-portal which must be copied to all opposing counsel/unrepresented parties. A courtesy copy of the motion, joint stipulation, etc. related to the proposed Order must be provided. The Motion must state that opposing counsel/unrepresented party has been provided with the same materials being provided to the Court and whether (i) opposing counsel/unrepresented party consents to the relief requested in the order and, if so, (ii) 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 parties.
2. If an unrepresented party does not receive e-filings, counsel must immediately mail a conformed copy to the opposing party.
3. All consent Orders shall include the word "Consent" or "Agreed" in the caption of the proposed Order.