

Amended Memorandum

From: Gary P. Flower, County Court Administrative Judge

To: Attorneys, Landlords and Pro Se Litigants

Re: Corona Virus – Temporary Handling of County Court Civil Hearings; Evictions; Stays; Garnishments, Claims of Exemptions; other

Date: March 25th 2020

To all attorneys practicing in the Civil County and Small Claims Courts of Duval County; landlords; and pro se litigants, the County Court Judges provide the following information:

A. Handling of Civil Hearings and Trials:

1. All hearings and trials conducted in the County Civil and Small Claims divisions will be done remotely until further Order of the Chief Judge. No litigants or attorneys are to personally appear for any hearings. These remote hearings can be done either by telephone conference calling; or (by agreement of the presiding judge and the parties), can be handled via “Zoom” video-conferencing.
2. The parties are required to send to the Court’s judicial assistant any documents or exhibits to be referenced (or admitted) during the hearing at least two working days prior to the hearing. Any documents either attached to the complaint or previously filed with the clerk do not need to be re-sent.
3. Absent agreements reached to the contrary between the parties and the Court, litigants should call the number provided by the judicial assistant 5 minutes prior to the hearing time. Please be patient, as you may be placed on a brief hold while a prior hearing is being concluded.

B. Evictions:

1. The execution of all Writs of Possession have been stayed by Order of the Chief Justice of the Florida Supreme Court in AOSC20-17 until the close of business April 17th 2020. At present, it is unknown whether this deadline will be extended further.
2. The Clerk of Courts (located in the Duval County Courthouse) is still open for business and accepting tenant registry payments in the standard manner.

3. Tenants are cautioned that while the Writs of Possession have been stayed, eviction cases are otherwise being processed by the Courts in the normal fashion. This means that in appropriate cases, final judgments of eviction will continue to be signed. As part of the Court's normal review of eviction cases, judges will be considering any amounts deposited by tenants into the Court registry when evaluating Motions for Final Judgment.

C. Garnishments:

1. Any Claims of Exemption from garnishment will continue to be processed, and hearings will be scheduled expeditiously. As with all other civil matters, these hearings shall be conducted via conference call to the Court.

D. Other:

1. The county court judges realize that some civil hearings and trials are more properly done in person, rather than by conference call or "Zoom" video-conferencing. As a result, some hearings/trials may be continued upon motion of the parties, or the Court. However, it is the intent of the judges to timely handle as many of these cases as possible. In that vein, the judges ask for the support and assistance of the attorneys and pro se litigants in maintaining the orderly processing of county court and small claims civil cases.
2. Should any questions or concerns arise, feel free to contact the judges' judicial assistants, who are ready and willing to assist you.

The Duval County Judges appreciate your willingness to assist us in working through these issues, and we look forward to continue our obligation to provide a timely service to all litigants during this trying time.

Gary P. Flower
Administrative County Court Judge
Duval County, Florida