

Judicial Practices and Procedures

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NOTICE TO THE PUBLIC

The Code of Judicial Conduct governing behavior by judges forbids Judges from discussing pending cases with the public. Please do not call the Court expecting to speak with a Judge about any case. The Court is only allowed to consider arguments made in the courtroom and in documents properly filed by parties in the case as authorized by law and the Rules of Court. The Court cannot ethically read or consider any other opinions or arguments about the case. Communications that do not meet these legal requirements cannot be forwarded to the Judge.

Table of Contents

A. Communications with the Judicial Office	2
B. Scheduling Procedures	2
C. Remote Appearance	4
D. Submission of Orders and Judgments.....	4
E. Courtesy Copies of Case Law and Other Documents.....	4
F. Emergency and Other Urgent Matters	5
G. Exhibits for Evidentiary Proceedings	5
H. Pretrial Procedures and Conferences.....	5
I. Setting Case for Trial	6
J. Forms	6
K. Other Division Procedures	6

A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to vhester@coj.net. The subject line must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 SC – Doe v. Doe - 2-Hour Hearing Requested.)”
- **Ex parte Communications:** All communications with the judicial office must comply with Canon 3 of the Code of Judicial Conduct, which prohibits a judge from initiating, permitting, or considering ex parte communications and from considering other communications outside the presence of all parties concerning a pending or impending proceeding, unless authorized by law. All parties must be copied on any e-mail directed to the judicial office.
- **Unsolicited Communications:** Unsolicited communications from non-parties will not be considered by the Court. Parties may only contact the judicial office according to these practices and procedures.
- **E-Filing Portal Contact Information:** All attorneys and self-represented litigants must provide an e-mail address to receive signed orders electronically, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516. It is the responsibility of attorneys and self-represented litigants to update their contact information using Form 2.603 any time there is a change in the e-mail account registered for electronic service. The form can be obtained from the Nassau County Clerk of Court; 904-548-4600; <https://www.nassauclerk.com/>
- **Response to Inquiries:** The Judicial Assistant is not authorized to provide legal advice. If the Judicial Assistant is out of the office, an automatic email reply will provide instructions on how to get assistance for urgent matters. Emails that are not urgent will be answered upon the Judicial Assistant’s return to the office.

B. Scheduling Procedures

- **Scheduling 15-minute Hearings in Small Claims/County Civil cases:** Hearings will only be set on motions filed with the Clerk. The party requesting a hearing on a motion should contact the Clerk of Court at 904-548-4600 to obtain availability and then coordinate with opposing counsel or party if unrepresented. It is expected that all counsel will promptly respond to the moving party’s attorney to facilitate this process. Hearing dates and times are not secured until the moving party files the Notice of Hearing. The moving party must file and serve the notice of hearing.

- **Scheduling Hearings over 15-minutes in Small Claims/County Civil cases:** Hearings will only be set on motions already filed with the Clerk. The party requesting the hearing should email the Judicial Assistant, with the other party copied, to obtain availability. The Judicial Assistant will provide dates and times. The parties should then remove the Judicial Assistant from the email to coordinate with each other. When the parties have determined which dates and times work for both, the email thread should be forwarded to the Judicial Assistant to confirm if the preferred dates are still available. The moving party is responsible for filing and serving the notice of hearing.
- **Notice of Hearing for Small Claims and County Civil:** A notice of hearing will be filed by the moving party and served immediately after reserving hearing time. A notice of hearing involving any remote appearance will list the Judge's Zoom Meeting ID. All notices of hearing should contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.
- **Submission Deadlines for Criminal and Civil:** The Court must receive all materials for the hearing no later than three (3) business days before the hearing.
- **Continuance Procedure for Criminal and Civil:** Continuances are disfavored and will be granted only upon good cause shown. A request for continuance must be submitted at least five (5) days prior to the scheduled court date. Except for good cause shown, the motion must be signed by the party requesting the continuance, as required by Florida Rule of General Practice and Judicial Administration 2.545(e).
- **Administrative Pass Date Requests:** The deadline to request an administrative pass date is 48 hours before the scheduled court hearing. The party making the request must first contact the other party to obtain their position in writing. Once their position has been obtained in writing, it should be forwarded to the Judicial Assistant with the request.
- **Cancelling Hearings:** Only the party setting a hearing may cancel it. Notification of cancellation must be emailed to the Judicial Assistant with a copy to opposing counsel. Cancellation of a hearing MUST be confirmed with and by the Judicial Assistant.

C. Remote Appearance

- **Remote Appearance Procedure:** Requests to use communication technology for an appearance must be made by motion. The moving party does NOT need to submit a proposed order through the portal. After the motion is filed, the moving party should email the Judicial Assistant at vhester@coj.net to inform the Court that the motion has been filed. All defendants in criminal proceedings must appear in person unless their appearance has been waived by their attorney. Small Claims Pretrial Conferences are held in person.
- **Platform Used:** Zoom Meeting ID#: 501 062 3299
- **Requirements:** Counsel must submit a request for remote appearance to the Court no later than five (5) days prior to the hearing. The person appearing on Zoom must use their legal name to identify themselves and have the video function turned on.
- **Technology Needs:** The Court allows parties to use technology in their trial and hearing presentations. Counsel is responsible for having technology set-up and ready to use during the trial or hearing without causing unnecessary delay. Please contact the Court's Information Technology department at 904 548-4520 to coordinate any technological issues in advance of the trial or hearing.

D. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted using the instructions found at <https://www.jud4.org/proposed-orders-e-filing>.
- **Deadline for Submissions:** Proposed orders must be submitted within ten (10) days after any hearing.

E. Courtesy Copies of Case Law and Other Documents

- **When Required:** Courtesy copies of case law must be submitted to the Court for any evidentiary proceeding.
- **Format:** PDF or Word document.
- **Submission Method:** Courtesy copies shall be submitted via electronic submission. If voluminous, parties must place courtesy copies on a flash drive and deliver to the Court with permission for the Court to destroy because these copies have been filed with the Clerk.

- **Deadline for Submissions:** Courtesy copies must be delivered to the Court at least three (3) days prior to the hearing with copies provided to all other parties at the same time.

F. Emergency and Other Urgent Matters

- **Requirements:** If a party believes there is a factual basis for setting an emergency hearing, a detailed motion setting forth the following must be filed: (1) the issues to be resolved, (2) reasons why an emergency hearing is necessary, and (3) the amount of time needed for each party's presentation.
- **Scheduling:** If the Court determines that an emergency exists, a hearing will be scheduled unilaterally by the Court. All parties shall make themselves available for the emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings

- **Format:** Exhibits must be submitted to the Clerk of the Court in paper format. All attorneys and self-represented litigants must bring sufficient copies of each exhibit for the clerk, the Court, and each party to review during the hearing or trial. Exhibits must be labeled in the following format: 'Petitioner/Plaintiff 1' or 'Respondent/Defendant A.'
- **Deadline for Submissions:** All exhibits must be received in chambers three (3) days before the evidentiary proceeding. Exhibits may not be emailed to the Judicial Assistant.

H. Pretrial Procedures and Conferences

- **Case Management Conference in County Civil Proceedings:** The Court will schedule a Case Management Conference for cases in which an answer is filed. The parties may also jointly submit a Trial Set Memorandum prior to the Case Management Conference and provide it by e-mail to the Judicial Assistant at vhester@coj.net along with (i) the proposed mediator and (ii) the proposed trial week(s).
- **Status Conference:** Any party may request a status conference when a case requires.

I. Setting Case for Trial

- **Criminal:** Trials will be set by the judge in open court during the final pretrial.
- **Civil:** Trials will be set by the judge in open court, or the parties may email the Judicial Assistant to set a trial at vhester@coj.net.
- If the case settles, the parties shall immediately notify the Court, by emailing the Judicial Assistant at vhester@coj.net, so that it may be removed from the trial calendar.

J. Forms: Forms are available at <https://www.nassauclerk.com/>

K. Other Division Procedures

- **ADA Accommodations:** If you are an individual with a disability who needs an accommodation to participate in a court proceeding, other court service, program, or activity, you are entitled, at no cost to you, the provision of certain assistance. Requests for accommodations may be made to the ADA Coordinator in any of the following ways:

Phone – (904) 548-4917
Fax – (904) 548-4949
TTD/TTY – Dial 711
E-Mail – ADA@nassauclerk.com
Mailing Address: 76347 Veterans Way
Yulee, Florida 32097

Please submit your request as far in advance as possible, but preferably at least seven (7) days before your scheduled appearance.

- **Interpreter Requests:** The Fourth Judicial Circuit Court Interpreter Program provides qualified interpreters to non-English speaking litigants in the courtroom. Interpreters are hired by Court Administration on an event-by-event basis and can be provided for most court events. Please contact the Court Interpreter Program Coordinator at least seven (7) days before the service is needed, or immediately upon receiving notification if the time before the needed service is less than seven (7) days. If you are hearing or voice impaired, call 711 to reach the Telecommunications Relay Service. Requests for interpreter services (foreign language and sign language) should be directed to the Court Interpreter Program Manager, crtintrap@coj.net or by telephone at (904)255-1010. Please visit: <https://www.jud4.org/court-interpreters/request-for-interpreters> for more information.