

Judicial Practices and Procedures (County Criminal)

Scott F. Mitchell, Judge
Tracy Healy, Judicial Assistant

Contact Information

Mailing Address: 501 West Adams Street
Jacksonville, FL 32202

Physical Address: 501 West Adams Street
Jacksonville, FL 32202

Telephone: (904) 255 – 1333

Fax: (if applicable) (904) 357-5977

E-mail: **thealy@coj.net**

Communications with the Judicial Office

Method of Communication: All communications to the judicial office must be submitted in writing and filed with the clerk's office. The document must contain the case number, case name, and relevant matter.

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.

Courtroom Procedures/Schedule

Calendar calls:

The morning calendar starts promptly at 9:00a.m. each day. The afternoon calendar (if there is one) starts promptly at 2:00p.m.

Calling of cases on the calendar:

The assigned ASA is generally responsible for calling cases on the calendar. Defense counsel should let the ASA know when counsel is ready to have the cases called.

Priority to private counsel and Interpreters:

The Court gives priority to cases involving private counsel and cases involving the need for an interpreter. If private counsel has a case needing an interpreter, counsel should arrive at the courtroom as close to 9:00 as possible. Court interpreters have multiple courtrooms

requiring their assistance, and they should not be left waiting for defense counsel in any one courtroom.

Inmates:

If counsel has an incarcerated defendant, counsel should notify the uniformed bailiff of the name of the inmate and the need to have that inmate ready for his appearance before the case is called.

Communication between counsel during calendar call:

The Court will permit only a brief discussion with the assigned ASA before a case is called. The Court does not permit protracted conversations with the ASA during the calendar call.

Cell phones muted:

All cell phones must be on mute while in the courtroom.

Conference Rooms:

Conference rooms are available just outside the entrance to CR 310 for attorneys to use for discussions with clients and/or opposing counsel or opposing counsel. The Court will not permit protracted conversations in the courtroom between counsel or their clients during calendar call.

Remaining at Podium: Because County courtrooms typically use digital court reporters, it is important for counsel to remain at the podium and speak into the microphone during calendar calls and hearings.

Weekly Schedule:

- **The typical Court schedule from criminal week is as follows:**
- **Mondays:** Morning calendar. Arraignments, Pretrial hearings, Dispositions. Jury Selection will generally occur at 10:30am on Monday, and if necessary, at 2:00pm
- **Tuesdays:** Morning (9:00) and afternoon (2:00) calendars. Arraignments, pretrial hearings, dispositions. The afternoon calendar is generally for Public Defender cases, but private counsel can request afternoon pass dates as well.
- **Wednesdays:** Morning calendar call for arraignments, pretrial hearings and dispositions. Afternoons are generally reserved for Motion hearings and bench trials (Motion to Suppress, Motion to Dismiss, Motions relating to Pretrial Release, sentencing hearings involving testimony, etc),
- **Thursdays:** This day reserved for Jury Trials. Calendars for this day are generally short and typically involve mostly cases passed from earlier in the week.
- **Fridays:** Reserved for Jury Trials and hearings, if necessary. In the event a calendar is set, it will be morning only.

Side Bar Conferences:

The Court does allow side bar conferences during calendar call, but asks that these be kept to a minimum. Typical reasons for side-bar during calendar call would be (a) discuss the status of plea negotiations; (b) discuss mental health issues involving the defendant; (c) discuss scheduling conflicts due to personal reasons; (d) discuss disposition of VOP cases.

Arraignments:

At arraignment, the State should be prepared to advise the Court of (a) the State's offer if one is to be made; (b) the speedy trial date; (c) the status of discovery.

Final Pre-Trial Conferences:

In the event the Court schedules a final pre-trial on a case, that date represents the deadline for plea negotiations between the parties. Absent usual circumstances, no plead agreements will be accepted by the Court after the Final-Pretrial Conference. The Defendant must be physically present for the final pre-trial conference.

Ex Parte Motions:

Should defense counsel file any routine motions which can be resolved without the need for a hearing (i.e., modification of pre-trial release conditions, re-setting of a court date, request for deposition, etc), the motion must indicate the assigned ASA has been contacted regarding the motion and must state the ASA's position on the relief requested.

Motions for Authorization to take Depositions:

Should defense counsel wish to undertake depositions in a case, a motion requesting authorization should be filed as early in the case as possible. Delays in filing deposition motions may decrease the likelihood of the motion being granted

Remote Appearance

Remote Appearance Procedure: The court does permit use of ZOOM for routine court appearances by out of county counsel, and for those attorneys with scheduling issues. Absent Court order, the Court does not permit the use of ZOOM for disposition hearings involving an adjudication of guilt; for evidentiary hearings; or for trial. **Parties must submit a**

request for remote appearance to the Court no earlier than five (5) days prior to the hearing.

- **Platform Used:** The Court uses Zoom for remote appearances.
- **Platform Meeting ID#:** Zoom Meeting ID#: **365 086 9401**

Other Division Procedures

- **ADA Accommodations:** If you are an individual with a disability who needs an accommodation to participate in a court proceeding or other court service, program, or activity, you are entitled, at no cost to you, to the provision of certain assistance. Requests for accommodations may be presented by form, in another written format, or orally. Please visit Jud4.org - [Florida State Courts System ADA Title II Accommodation Request Form - Duval and Clay](#) to access the form, that must be submitted to the ADA Coordinator at (904) 255-1695 (or 711 Florida Relay Service); or at 501 West Adams Street, Room 6204, Jacksonville, FL 32202; or CRTINTRP@coj.net. Please submit your request as far in advance as possible, but preferably at least seven (7) days before your scheduled appearance or other Court activity.
- **Interpreter Requests:** The Fourth Judicial Circuit Court Interpreter Program is dedicated to providing 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, crtintrp@coj.net or by telephone at (904)255-1010. Please visit Jud4.org - [Request for Interpreters](#) for more information.