



Judge Mark H. Mahon

Division FM-C
Hearing Room 740
501 West Adams Street
Jacksonville, FL 32202
Francesca Giannini, Judicial Assistant
Email: fgiannini@coj.net

EX PARTE: Involves only uncontested matters and scheduled with the Judicial Assistant via email. This is done between 9:30 to 10:30 a.m. on certain dates of every month. The schedule is located on the website (<http://www.jud4.org/Ex-Parte-Procedures-and-Dates.aspx>). Telephonic appearances are allowed by out-of town attorneys. Ex parte dates are NOT posted on the office voice mail.

Once the hearing date has been confirmed, **parties to confer and provide the Court with Zoom ID information one week prior to or earlier to the hearing date.** Please provide a courtesy copy of the Notice of Hearing to the Judicial Assistant, along with any necessary documents (i.e., Final Hearing Checklist, driver's license, proposed Consent Final Judgment, etc.) at least seven (7) days prior to the scheduled hearing.

EMAILING THE JA: PLEASE INCLUDE THE FOLLOWING INFORMATION: Case number, parties last names, and the motion to be heard in the subject line of your email. For example:
2025 Smith v Smith, Motion for/to (including case docket number (Example – "Mother's Motion for Contempt #D111").

SETTING A CASE FOR TRIAL: Motions to Set for Trial and Motion to Set Hearings for greater than one (1) hour are set for a time certain during regular calendar. The Judge sets these.

1. File a Motion to Set Case for Trial/Hearing.
2. Coordinate with the Judicial Assistant and opposing party or attorney to select a date and time certain which is convenient for all parties for the Motion to Set to be heard.

3. **Please note that Judge Mahon will only accept a Trial Set Memo that has the Motions with the corresponding docket line attached – Example “Mother’s Motion for Contempt - #D111”**
4. Serve the Notice of Hearing on all parties.
5. Out-of-area attorneys may appear by phone by requesting to do so.
6. Complete the Trial Memorandum Form in advance of the Motion to Set hearing, it is located on the website (<http://www.jud4.org/Ex-Parte-Procedures-and-Dates.aspx>) or is available in the Judge’s hearing room.
7. The Judicial Assistant will prepare the Order Setting Case for Non-Jury Trial and Pretrial Conference or the Order Setting Case for Hearing.
8. Provide stamped, self-addressed envelopes for all parties, including a blank stamped envelope for the mediator, for mailing the Order to all parties. The Court does not provide envelopes and postage. If envelopes are not provided an original Order will be sent to the Clerk’s office for docketing and the parties may obtain their copies from the Clerk.

When a case **SETTLES** prior to the pre-trial or trial date, **PLEASE, IMMEDIATELY** contact the Judge’s office to remove the pre-trial and trial from the calendar.

SETTING HEARINGS: Hearings may be set by contacting the Judicial Assistant via email or phone. Please copy opposing counsel and include the case number, the name of the motion to be heard (MUST be filed prior to setting for hearing), and how much time is required for the hearing. The Judicial Assistant will not resolve disputes regarding when a motion will be set. Do not send courtesy copies of the motion but do provide the Judicial Assistant the case docket number for the motion (Example – “Mother’s Motion for Contempt #D111”).

****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.**

Once a hearing has been scheduled, Counsel requesting hearing time shall provide zoom information to the Judicial Assistant within seven (7) days of the scheduling of the hearing along with a courtesy copy of the Notice of Hearing upon scheduling.

EXHIBITS: If you have less than thirty (30) pages of total exhibits, they may be submitted via email in PDF FORMAT to the Judicial Assistant. Please include a cover letter/index with numbered or lettered exhibits at least two (2) business days prior to hearing. If you have more than thirty (30) pages of total exhibits, please provide a trial binder by mail or place them in the drop box in the courthouse lobby at **least two (2) business days prior to hearing**. Please notify the Judicial Assistant that exhibits have been left at the drop box.

Please note that while the Family Law Administrative Order provides for Exhibits to be provided at least 3 business days before the hearing, our division prefers to have all exhibits at least 7 days prior to your hearing.

CANCELLATION OF HEARINGS: When cancelling a hearing, please file a Notice of Cancellation with the Clerk of Court and provide a courtesy copy to the Judicial Assistant. If the hearing is imminent, please call (904) 255-1218.

DURATION TIMES FOR A HEARING: Motion hearings may be scheduled on either morning or afternoon calendars, commencing at 10:30 a.m. to 12:00 noon and 1:30 to 4:00 p.m.. Hearings that require more than one (1) hour of time must be approved by the Court and are set for a time certain during regular calendar.

EMERGENCY MOTIONS: When filing an emergency motion, please be mindful that the matter must be: (1) a genuine emergency and (2) must be filed with the Clerk of Court [Rule 1.610 & 12.610(a)]. If seeking an ex parte hearing with without notice of hearing, you must state an adequate reason why the other party should not be given notice. All such motions must be verified/sworn by the movant and signed by counsel. Emergency motions should be emailed or delivered to the Judicial Assistant for review. There shall be no ex parte communication concerning this request. After the Judge has reviewed the action, the Judicial Assistant will advise if the motion will be granted without a hearing or notice, denied, granted with a hearing on an emergency basis or for movant to schedule the matter on the next regular calendar date. Should the Judge be out of the office for an extended time, please follow local rules of procedure by contacting the next division in alphabetical order.

*****PLEASE INCLUDE “EMERGENCY” IN THE EMAIL SUBJECT LINE*****

MOTION FOR REHEARING: Motions for Rehearing and/or reconsideration must be filed with the Clerk of Court and a copy emailed to the Judicial Assistant. Please do not call the Judge’s office to schedule a hearing on the motion. Judge Mahon will review the motion and issue an order or the Judicial Assistant will call to schedule a hearing.

MOTION TO WITHDRAW AS COUNSEL: These motions are not heard during ex parte. Please follow Fla. R. Jud. Admin. 2.505(f).

MOTION TO COMPEL:

1. Before filing a Motion to Compel pursuant to Rule 1.380, Florida Rules of Civil Procedure, or a Motion for a Protective Order, as provided in Rule 1.280(c), Florida Rules of Civil Procedure, the attorney for the moving party shall confer with the opposing party or attorney in a good-faith effort to resolve the issues raised, and shall file with the Court at the time of filing of the motion, a statement certifying that the moving attorney or

party has so conferred with opposing party or attorney and that they have been unable to resolve the dispute.

2. When a motion has been placed on a Judge's calendar, that motion may not be cancelled without the Judge's consent.

3. As provided in Section (4) of rule 1.380, if the motion is granted, the Court shall award expenses which may include attorney's fees.

DEFAULT FINAL HEARINGS: Default final hearings should be coordinated with the Judicial Assistant on the Court's regular calendar by email. Default final hearings will not be heard during *ex parte*.

TEMPORARY NEEDS HEARING: All temporary issues are to be set before the General Magistrate. You may call the dedicated number (904) 255-1180 between the hours of 10:00 a.m. and 2:00 p.m., Monday through Thursday, to schedule temporary needs and/or post judgment hearings before Magistrates.

OBJECTIONS TO MAGISTRATES/HEARING OFFICERS: It is required that any objection to the referral of the matter to the Magistrate be filed with the Clerk of Court timely and that a courtesy copy be provided to the Judicial Assistant via email.

EX PARTE COMMUNICATIONS: The Court staff will not have *ex parte* communications with anyone and is not permitted to relay *ex parte* information to the Judge. Please do not ask the Judicial Assistant or other court personnel to communicate any message to Judge Mahon.

SELF-REPRESENTED PARTIES (PRO SE): If you are a self-represented or *pro se* party (not represented by an attorney), you must contact Family Court Services, Case Management Main Number at (904) 255-1060 for questions and guidance regarding your case.

COURTESY COPIES: Courtesy copies of memoranda should be delivered to the Judge's office at least two (2) days before a scheduled hearing on the matter. Attorneys shall only send memoranda to the Judge that has been served on opposing party or attorney, and delivered in the same manner as to the Judge. Memoranda may be delivered to the Judge via his Judicial Assistant's email fgiannini@coj.net and opposing party or attorney by email, mail or by hand. Do not send courtesy copies of motions or anything pertaining to the motion hearing.

UNAVAILABILITY: Substitute Judicial Assistants are not available to cover this division during illness or vacation. When the Judicial Assistant for Division: FM-C is not present, email and you will be contacted as soon as possible following the Judicial Assistant's return to the office.

LEAVING MESSAGES ON VOICE MAIL: Please include the case number, your name, phone number, and a brief message concerning your call. The Judicial Assistant will return calls as soon as possible.

SUBMITTING PROPOSED ORDERS:

1. The attorney preparing a proposed Order subsequent to a hearing shall provide an advance copy to opposing counsel. The cover letter to be used and sent to opposing party or attorney is provided on the website (<http://www.jud4.org/Ex-Parte-Procedures-and-Dates.aspx>) under Letters for Attorneys Submitting Orders.
2. The proposed Order should then be submitted to the Court. The cover letter to the Judge is provided on the website (<http://www.jud4.org/Ex-Parte-Procedures-and-Dates.aspx>) under Letters for Attorneys Submitting Orders. **This cover letter MUST be completed and attached to all proposed orders that are submitted to the court.**
3. When entitling proposed Orders always designate the particular motion heard, such as “Order Denying Wife’s Motion to Dismiss” or “Order Granting Husband’s Motion for Contempt,” etc. Consent Orders shall contain the word “Consent” at the beginning of the caption.
4. Sufficient number of distribution copies for all parties and stamped addressed envelopes must accompany the Order when submitted.
5. The **DONE AND ORDERED** clause, along with the Court’s signature line, should be on the same page. If the last page contains only the date line and/or Judge’s signature line it must have the title of the Order and the case number on it also.
6. Full names and complete addresses of counsel/parties to whom copies are to be provided should be included on the last page.
7. Should the Court request complex Orders to be submitted via email, they need to be formatted in either WordPerfect or Word.
8. The signature line and the day, month and year of the Order shall all be located on the right border of the page.
9. If **ALL** parties/entities are on e-service, the cover letter and proposed Order may be emailed to the Judicial Assistant.