

Judicial Practices and Procedures
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A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to **nponder1@coj.net**, the dedicated division e-mail account. The subject line of any e-mail to the judicial office 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 the 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, unless an ex parte communication is authorized by law.

- **Unsolicited Communications:** Parties may only contact the judicial office in accordance with these practices and procedures. Unsolicited communications from non-parties will not be considered by the court.
- **E-Filing Portal Contact Information:**
 - All attorneys and self-represented litigants must make and receive service by e-mail, which is generally through the Florida Courts E-Filing Portal, unless excused. Fla. R. Gen. Prac. & Jud. Admin. 2.516.
 - 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.
- **Response to Inquiries:** The judicial assistant is not authorized to provide legal advice. The judicial assistant will strive to respond to all emails within one business day. When the judicial assistant is out of the office, there will be an automatic response with instructions on who to contact in case of emergency.

B. Scheduling Procedures

- **Court Schedule:** The trial set memoranda, along with available trial dates, are posted on the Judge's webpage at jud4.org/ex-parte-procedures-and-dates.
- **Scheduling Hearings:** Hearings will only be set on motions already filed with the Clerk. All hearings must be coordinated with opposing counsel or party if unrepresented. The party requesting the hearing on any pending motion shall contact the Judicial Assistant with all other parties on the email at nponder1@coj.net (include pro se parties). Dates provided for hearings are not held and may be given to other cases. It is expected that all counsel will promptly respond to the moving party's attorney with proposed dates received from the Judicial Assistant to facilitate the process. Hearing dates/times are not secured until conformation is sent from the Court. Once a

hearing time is set, no party may add or notice additional matters for that time without the express consent of all parties.

- **Notice of Hearing:** A notice of hearing must be filed and served immediately after reserving hearing time.

A notice of hearing involving any remote appearance must list the zoom meeting information:

Join Zoom Meeting:

<https://zoom.us/j/95176383149?pwd=SUOOcDBDeGV4N2wOUmVwYmtDNINNdz09>

Meeting ID: 951 7638 3149.

Password: 123661

All notices of hearing must contain the Americans with Disabilities Act (ADA) notification required by Florida Rule of General Practice and Judicial Administration 2.540.

- **Submission Deadlines:**

- **Documents/Exhibits for In Person Hearings and Trials:** Exhibits or Evidence that you want the Judge to consider for in-person hearing may be brought to the Judge at the time of the hearing. **DOCUMENTS SUBMITTED MUST BE ORGANIZED, TABBED, AND LABELED** and placed in a binder/notebook, if appropriate. All exhibits should be tabbed and pre-marked as referenced in the example below.

Case No. 16-2025-DR-123456 FMXX
Petitioner/Respondent's Exhibit No. A
Admitted as Exhibit
Date admitted trial/hearing date

- **Documents/Exhibits for Zoom Hearings or Trials:** Anything you wish the Judge to consider for a hearing, i.e.: exhibits, evidence, caselaw etc., must be exchanged with opposing counsel/party and delivered to the Judge either by dropping off documents at the 7th floor reception area OR in the designated cart in the Courthouse lobby at least **THREE (3) business days** before a scheduled hearing on the matter. **DOCUMENTS SUBMITTED MUST BE ORGANIZED, TABBED, AND LABELED** and placed in a binder/notebook, if appropriate. Binders/notebooks/documents should be delivered to

the 7th Floor Reception desk or placed in the designated cart for Judges in the Courthouse lobby. All exhibits should be tabbed and pre-marked as referenced in the example below.

Case No. 16-2020-DR-123456 FMXX
Petitioner/Respondent's Exhibit No. A
Admitted as Exhibit _____
Date admitted trial/hearing date _____

The Court will only accept emailed submission of exhibits if the documents (total) are 25 pages or less.

- **Caselaw and Statutes:** Any law the parties wish the Court to consider shall be delivered **3 business days PRIOR TO** the hearing. If the case law is more than 25 pages, then it shall be hand delivered in a binder/notebook, if appropriate. Binders/notebooks/documents shall be delivered to the 7th floor reception area OR placed in the designated cart for Judges in the Courthouse lobby. Please note if placed in the lobby it may take longer to get to the Judge's office.
- **Order of Proceedings:** Matters will be heard in the order in which they appear on the docket.
- **Continuance Procedure:** Motions for continuance are disfavored and will be granted only upon good cause shown. Successive continuances are highly disfavored. Lack of due diligence is not grounds for granting a continuance. 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).

Motions for continuance must be submitted at least 3 days prior to the scheduled court date for motion hearings and 14 days prior to the scheduled trial for trials, barring exigent circumstances. 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).

- **Cancelling Hearings:** Only the party setting a hearing may cancel it. You must cancel hearings by notifying the judicial assistant immediately and **MUST** be confirmed with the judicial assistant. You must also immediately file and serve a notice of cancellation on opposing counsel and any self-represented litigant. If the hearing is imminent, please call 904-255-1306 and email regarding cancelling the hearing.

- **Other Scheduling Procedures:**

- **EX PARTE: Involves** uncontested matters, Motions to Set for Trial, Motions to Withdraw as Attorney of Record (with notice to Client), and coordinating hearings in excess of one hour. Ex parte hearings, with notice to and consent of both parties, will be held between 9:00 a.m. and 10:00 a.m. on specified dates every month as posted on the Ex Parte Schedule, which can be found at the 4th Judicial Circuit Court – Ex Parte Dates & Judge’s Procedures (jud4.org). **EX PARTE HEARINGS MUST BE SCHEDULED WITH THE JUDICIAL ASSISTANT FOR FM-F.** Email nponder1@coj.net to schedule an ex parte hearing. Include opposing counsel and/or *pro se* party in all communications with the Court’s JA.

Ex Parte hearings will take place via zoom. ALL proposed orders and necessary documentation are to be sent to the Judicial Assistant at the time of scheduling or your hearing date will not be held. Prior to scheduling a hearing on an uncontested dissolution of marriage, one party must provide the following: (1) a checklist for entry of the consent final judgment, (2) proper proof of residency, and (3) the signed Consent Final Judgment. A copy of the checklist can be found at 4th Judicial Circuit Court – Ex Parte Dates & Judge’s Procedures (jud4.org)

Setting Ex Parte Hearing: Before making the request for ex parte hearing, please go to the web site and get several dates that work for your calendar and with opposing counsel if needed, send the request with two or three dates **along with the required documents** for the ex parte hearing then the matter can be set and confirmed in **one email**. (Please do not email requesting an ex parte hearing without either dates or the required documentation as hearings cannot be set without the documentation and this saves back and forth emails.)

If it is a Simplified Dissolution of Marriage, both parties must appear.

Unless it is a Simplified Dissolution of Marriage, a waiver of filing financial affidavits must be filed and financial affidavits must still be exchanged.

- **SETTING A CASE FOR TRIAL:** Motions to set for trial and motions to set hearings in excess of one hour are set during ex parte. Attorneys must: (1) coordinate a date and time certain with the Court’s Judicial Assistant for an ex parte hearing, (2) serve the Notice of Ex Parte Hearing on all parties, and (3) **complete and submit to the Court’s**

Judicial Assistant the Trial Memorandum Form WITH DOCKET NUMBERS found on the web at 4th Judicial Circuit Court – Ex Parte Dates & Judge’s Procedures (jud4.org) in advance of the Ex Parte hearing being set for hearing. Please see **Setting Ex Parte Hearing** above.

The Court will prepare the Order Setting Case for Trial and Pre-Trial Conference or the Order Setting Case for Hearing. A schedule of Judge Cox’s trial weeks can be found on the web at 4th Judicial Circuit Court – Ex Parte Dates & Judge’s Procedures (jud4.org). The Court will e-file the Order Setting Trial or Hearing.

- **SETTING HEARINGS LESS THAN ONE HOUR IN DURATION:** Hearings lasting one hour or less may be set by contacting Judge Cox’s judicial assistant Norma Ponder at nponder1@coj.net. Please copy the opposing attorney on the email and include the case number, the title of the motion to be heard (which must be filed prior to setting a hearing), and the amount of time needed for the hearing.

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

- **MOTIONS FOR CONTEMPT:** All motions seeking to hold an opposing party in contempt of Court shall be held in-person. Notices of Hearings for contempt should include the required language:

FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UPTO 48 HOURS BEFORE A HEARING IS HELD.

- **MOTION TO COMPEL:** 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.

When a motion to Compel has been placed on a Judge’s calendar,

that motion may not be cancelled without the Judge's consent.

As provided in Section (4) of Rule 1.380, if the motion is granted, the Court shall award or reserve jurisdiction to award expenses which may include attorney's fees.

- **MOTION TO WITHDRAW AS COUNSEL:** These motions are heard during ex parte. Please follow Fla. R. Jud. Admin. 2.505(f). Notice of hearing must be mailed/emailed to client. Do not forget to include the client's address, email address, and phone number. If there is a consent motion (signed by the party), the Court will consider the Motion and proposed order without a hearing.
- **TEMPORARY NEEDS HEARING INFORMATION:** All temporary issues are to be set before the General Magistrate. You may call the dedicated number 904-255-1180 between the hours of 9:00 a.m. and 4:00 p.m. to schedule temporary needs and/or post judgment hearings before Magistrates.
- **DEFAULT FINAL HEARINGS:** Default Final Hearings must be coordinated with the Court's Judicial Assistant. Default Final Hearings will not be heard during ex parte. The party seeking the default judgment must have filed proof of service or diligent search prior to the hearing.
- **SERVICE BY PUBLICATION:** Except in cases of adoption, pursuant to Section 63.088(5), Florida Statutes, in cases where the Respondent has been served by publication, a diligent search affidavit must be filed that includes, at a minimum, searches for the following:

United States Postal Service
Internet Search
Department of Motor Vehicles
Department of Corrections
Letters to Armed Forces of the United States

- **ADOPTIONS:** **The Court does not hear adoption matters during ex-parte.** Adoption hearings must be coordinated with the Court's Judicial Assistant. It is not necessary that children attend final hearings, but they are welcome to attend, as are other family members.
- **MOTIONS FOR REHEARING:** Motions for rehearing and/or reconsideration must be filed with the Clerk and a copy e-served to the Judge's office at nponder1@coj.net. Please do not call the Judge's office to schedule a hearing on the motion. The Judge will review the motion and either issue an order or the Judge's Assistant will schedule a

hearing.

C. Remote Appearance

- **Remote Appearance Procedure:** The court maintains a hybrid virtual courtroom, allowing parties to appear either in person or remotely, as provided by Florida Rule of General Practice and Judicial Administration 2.530. Requests to use communication technology for an appearance must be made by motion. Any objection to the use of communication technology must be filed no later than 7 days prior to the hearing/trial.

- **Platform Used:**

Join Zoom Meeting:

<https://zoom.us/j/95176383149?pwd=SUOOcDBDeGV4N2wOUmVwYmtDNINNdz09>

Meeting ID: 951 7638 3149.

Password: 123661

- **Requirements:**

Requests for remote appearance must be submitted 7 days prior to the hearing.

Any person appearing remotely must be in a private location that is quiet and free from distractions. Under no circumstances will a participant be permitted to appear remotely from a moving vehicle.

Any person appearing remotely must dress and behave professionally in the same manner as if physically present in the courtroom.

Any person appearing remotely must enable the person's camera when joining the proceeding and keep the camera turned on until instructed otherwise by the court.

If a witness appears remotely, the party calling the witness must ensure the witness has a functioning camera and microphone and has tested the internet connection before the hearing. The oath will be administered in accordance with Florida Rule of General Practice and Judicial Administration 2.530.

- **Technology Needs:** The Court allows parties to use technology in their trial and hearing presentations. Counsel is responsible for having any 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 <https://www.jud4.org/Technology.aspx> to coordinate technical issues in advance of trial or hearing.

D. Submission of Orders and Judgments

- The attorney preparing a proposed Order subsequent to a hearing shall provide an advance copy to opposing counsel or *pro se* litigant.
- **Format:** All proposed orders must be submitted in Word format and provided to opposing counsel and any self-represented litigant.

The title of proposed Orders shall designate the particular motion heard, such as “Order Denying Wife’s Motion to Dismiss” or “Order Granting Husband’s Motion for Contempt,” etc. The date the hearing occurred should be included in the first paragraph of the proposed order. Consent Orders shall contain the word “Consent” at the beginning of the caption.

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.

Full names and complete addresses (or email address) of counsel/parties to whom copies are to be provided should be included on the last page.

- **Deadline for Submissions:** Proposed orders must be submitted no later than 10 days after any hearing unless specified by the Court otherwise.
- **Submission Method:** All proposed orders should be submitted through the e-portal, unless your order falls under one of the exceptions below.
 - Instructions on how to submit proposed orders through the e-portal are found at **jud4.org**, from the home page, select **Proposed Order E-filing** where you can find **Procedure for submitting proposed orders in the Fourth Circuit**.
 - The only exceptions to filing in the e-portal, and that may be emailed to the judicial assistant, nponder1@coj.net, are as follows:

- If Judge Cox specifically instructs a party to email the order;
- Orders that contain Exhibits that are in pdf format may be emailed;
- Orders/Judgments that are to be reviewed and entered during ex parte should be emailed as found under Other Scheduling Procedures above.
- Please do not send proposed orders via email **and** through the e-portal, only submit once. Unless specifically instructed to send via email, please submit through the e-portal.

E. Courtesy Copies of Case Law and Other Documents: *See Submission Deadlines for Documents and Caselaw above on pages 3 & 4.*

F. Emergency and Other Urgent Matters

- **Requirements:** When filing an emergency motion please be mindful that the matter must be: (1) a genuine emergency and (2) the motion must be filed with the Clerk of Court. If seeking an ex parte hearing without notice of hearing, you must state an adequate reason why the other party should not be given notice. Pursuant to Florida Supreme Court Approved Family Law Form 12.941(d), all Emergency Motions for Child Pick-Up Order must be verified/sworn by the movant. Emergency motions should be e-mailed to Judge Cox's Judicial Assistant at nponder1@coj.net or delivered to the Judge's chambers for review. After the Judge has reviewed the motion, the Judicial Assistant will contact the moving party regarding the Judge's decision. Should Judge Cox be out of the office, please follow local rules of procedure by contacting the next division in alphabetical order.
- **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 emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings: *See Submission Deadlines for Documents and Caselaw above on pages 3 & 4.*

H. Pretrial Procedures and Conferences

- **Case Management Conference (CMC):** Any party may request a CMC when a case requires. The court strongly encourages the early use of CMCs in more complex cases, multiple-party litigation, or any case that might benefit from court intervention. Unless excused by the

court in advance, all CMCs are mandatory for attorneys and self-represented litigants. Parties represented by counsel are not required to appear at a CMC.

- **Status Conference:** Any party may request a status conference when a case requires.
- **Requirements:** Any request for a CMC or status conference must articulate the reasons for the necessity of the conference.
- **Scheduling:** If the court grants the request for a CMC or status conference, the moving party must schedule the CMC or status conference pursuant to the procedures noted under the above Scheduling Procedures above.

- I. Setting Case for Trial:** Motions to set for trial and motions to set hearings in excess of one hour are set during ex parte. Attorneys must: (1) coordinate a date and time certain with the Court's Judicial Assistant for an ex parte hearing, (2) serve the Notice of Ex Parte Hearing on all parties, and (3) complete and submit to the Court's Judicial Assistant the Trial Memorandum Form WITH DOCKET NUMBERS found on the web at 4th Judicial Circuit Court – Ex Parte Dates & Judge's Procedures (jud4.org) in advance of the Ex Parte hearing being set for hearing. Please see Setting Ex Parte Hearing above.

The Court will prepare the Order Setting Case for Trial and Pre-Trial Conference or the Order Setting Case for Hearing. A schedule of Judge Cox's trial weeks can be found on the web at 4th Judicial Circuit Court – Ex Parte Dates & Judge's Procedures (jud4.org). The Court will e-file the Order Setting Trial or Hearing.

J. Forms

- **Access:** Division forms are available for download at www.jud4.or.
- **Usage:** Division forms must be used for all relevant filings.

K. 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.
- **PUTTING CHILDREN FIRST IN DIVORCE COURSE:** Administrative Orders issued in the Fourth Judicial Circuit and Section 61.21, Florida Statutes, require that parents who are parties to a dissolution of marriage action or a paternity action shall complete a four-hour parenting course offered at: (1) Hope Haven Children's Clinic and Family Center, 4600 Beach Blvd., Jacksonville, FL 32207 (904) 346-5100, (2) First Coast Behavior Solutions, LLC, 2317 Blanding Blvd., Suite 102, Jacksonville, FL 32210 (904) 200-7979, or (3) Jewish Family and Community Services, 8540 Baycenter Road, Jacksonville, FL 32256 (904) 394-5865. The parties are further required to file the Certificate of Completion in the Court file before the entry of a Final Judgment.