

Judge Shaya E. Lee
County Court Division F | Judicial Practices and Procedures

Duval County Unified Courthouse
501 West Adams Street, Suite 7180
Jacksonville, Florida 32202

Tianna (Tia) Levine, Judicial Assistant
(904) 255-1330
Email: TLevine@coj.net

Courtroom: 512
Hearing Room: 728

Table of Contents

A. General Procedures 1
B. Criminal Procedures..... 3
C. Civil Procedures..... 5

General Procedures

Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to **tlevine@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, unless an ex parte communication is authorized by law.
- **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.
- **Response to Inquiries:** The Judicial Assistant is not authorized to provide legal advice.

Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in the appropriate format for the E-Portal. Further instructions for electronic submission may be found here: <https://www.jud4.org/proposed-orders-e-filing>
- **Submission Method: Proposed orders must be submitted to the Court via the E-Portal.** Courtesy copies may be emailed to the Judicial Assistant and all parties.
 - Proposed Orders may be submitted to the Court through the e-portal which must be copied to all opposing counsel/unrepresented parties. A courtesy copy of the motion, joint stipulation, etc. related to the proposed Order must be provided.
 - The Motion must state that opposing counsel/unrepresented party has been provided with the same materials being provided to the Court and whether (i) opposing counsel/unrepresented party consents to the relief requested in the order and, if so, (ii) whether opposing counsel/unrepresented party agrees with the language of the proposed Order. The service list on the Order must contain e-filing addresses for opposing counsel/unrepresented parties.
 - If an unrepresented party does not receive e-filings, counsel must immediately mail a conformed copy to the opposing party.
 - All consent Orders shall include the word “Consent” or “Agreed” in the caption of the proposed Order.

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.

CRIMINAL PROCEDURES COURTROOM 512

- Court will start promptly at **9:30 a.m.** (unless notified of a different time). All attorneys shall be available and prepared to handle their assigned cases as called by the Court.
- Cases shall be called in the following order, with some exceptions.
 - 1) Out-of-custody defendants
 - 2) Female inmates
 - 3) Male inmates

The courtroom bailiffs are aware of this procedure and shall have the inmates available and ready to be called in the prescribed order.
- For private counsel and RCC, and cases requiring language interpreters, cases may be called out of order to accommodate the attorneys' and interpreters' presence in other courtrooms before other judges. Those attorneys have the responsibility to timely notify the courtroom bailiffs of the needed presence of an inmate.
- Defense counsel shall not waive the presence of any in-custody defendant, who has been transported to the courthouse from the jail, without prior approval of the Court or absent good cause. There shall be no waiver of defendant's appearance at the initial Arraignment and Final Pre-Trial Conference.
- Once a case is set for trial, this Court shall distribute a written Trial Order, by which all parties shall abide.
- At the Final Pre-Trial Conference, the Defendant shall be present in person (**there shall be no waiver of Defendant's appearance at FPT**), as well as the attorney(s) who are to try the case.
- If an attorney wishes to add, remove or pass a case to another scheduled date, that attorney shall notify the Court's judicial assistant VIA EMAIL at TLevine@coj.net (cc'ing opposing counsel) **NO LATER THAN 3:00 PM THE DAY PRIOR TO THE REQUESTED DATE**. An attorney's filing of a waiver of a client's appearance DOES NOT alleviate the need for the attorney's presence in court unless previously agreed to by the Judge.
- **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. If an attorney or Defendant cannot appear in person for a pre-trial conference, the Court will allow appearance via Zoom, pursuant to Florida Rule of Criminal Procedure 3.116, "Use of Communication Technology."
- **Requests to use communication technology for an appearance must be made by motion unless otherwise authorized by Judge Lee.**
 - **Platform Used:** The Court uses Zoom for remote appearances. If a Zoom appearance is granted, please contact the Judicial Assistant for the Zoom information.

- **The Final Pre-Trial Conference is the last day the Court will entertain any dispositions.**

Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in the appropriate format for the E-Portal. Further instructions for electronic submission may be found here: <https://www.jud4.org/proposed-orders-e-filing>
- **Submission Method: Proposed orders must be submitted to the Court via the E-Portal.** Courtesy copies may be emailed to the Judicial Assistant and all parties.
- **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, crtintrap@coj.net or by telephone at (904)255-1010. Please visit Jud4.org - [Request for Interpreters](#) for more information.
- **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.

CIVIL PROCEDURES HEARING ROOM 728

Scheduling Procedures

- **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 a hearing on any pending motion should contact the Judicial Assistant with all other parties **by email** at tlevine@coj.net. 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 this process. Hearing dates/times are not secured until confirmation 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 will be filed and served immediately after reserving hearing time. A notice of hearing involving any remote appearance will list the Judge's Zoom credentials. The Zoom information will be provided once the hearing date/time is confirmed. All notices of hearing will contain the ADA notification required by Florida Rule of General Practice and Judicial Administration 2.540.
- **Submission Deadlines:** The Court must receive all materials for the hearing no later than three (3) business days before the hearing.
- **Continuance Procedure:** 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).
- **Cancelling Hearings:** When canceling a hearing that you have set, email the Judicial Assistant and copy opposing counsel's office notifying the Judicial Assistant of the cancellation and why the case has been cancelled. **DO NOT** assume the hearing is automatically removed from the Court calendar. A Notice of Cancellation that has been e-filed with the Clerk is not sufficient notice of a cancellation. Cancellation of a hearing **MUST** be confirmed by the Judicial Assistant.
 - **PLEASE NOTE: UNLESS THE MATTERS AT ISSUE IN THE HEARING HAVE BEEN RESOLVED BY THE PARTIES, THE COURT DOES NOT PERMIT THE UNILATERAL CANCELLATION OF HEARINGS WIHTOUT COURT APPROVAL**

Remote Appearances

- **Requirements:** All civil hearings for CC-F will be held remotely via Zoom, unless otherwise specified by the Judicial Assistant, with the exception of trials (jury or non-jury). If a party wishes to attend a hearing set for Zoom in person, they must contact the Court no later than five (5) days prior to the hearing. Similarly, if a party wishes to appear

remotely at a hearing set to be in person, they must contact the Court no later than five (5) days prior to the hearing.

- **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 any technological issues in advance of the trial or hearing.

Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in the appropriate format for the E-Portal. Further instructions for electronic submission may be found here: <https://www.jud4.org/proposed-orders-e-filing>
- **Submission Method: Proposed orders must be submitted to the Court via the E-Portal.** Courtesy copies may be emailed to the Judicial Assistant and all parties.

Proposed Orders with No Hearing: Proposed Orders without a hearing may be submitted to the Court through the e-portal which must be copied to all opposing counsel/unrepresented parties. A courtesy copy of the motion, joint stipulation, etc. related to the proposed Order must be provided.

- The Motion must state that opposing counsel/unrepresented party has been provided with the same materials being provided to the Court and whether (i) opposing counsel/unrepresented party consents to the relief requested in the order and, if so, (ii) whether opposing counsel/unrepresented party agrees with the language of the proposed Order. The service list on the Order must contain e-filing addresses for opposing counsel/unrepresented parties.
- If an unrepresented party does not receive e-filings, counsel must immediately mail a conformed copy to the opposing party.
- All consent Orders shall include the word "Consent" or "Agreed" in the caption of the proposed Order.

Proposed Orders Following a Hearing: The Court may request the lawyers prepare proposed orders pursuant to the Court's verbal recitations of rulings made during a hearing. Such proposed orders after a hearing are to be timely submitted to the Court as follows:

- Proposed orders must be submitted **within 20 days** after any hearing.
- If there is an unrepresented party involved in the case not using e-Portal, the party presenting the proposed Order, shall be responsible for providing a conformed copy to the unrepresented party.

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. Voluminous pleadings (**more than 20 pages, including attachments**) **must not be emailed**. They will need to be provided via hand-delivery, U.S. Mail, or other delivery service. **Any binders containing case law shall be received by the Court at least 5 days prior to the hearing.**

- **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.

Pretrial Procedures and Conferences

- **Case Management Conference:** The Court will issue Case Management Orders at the outset of all cases that identifies the case type (streamlines, general or complex), and a presumptive trial date.
- **Status Conference:** Any party may request a status conference when a case requires.
 - **Requirements:** Any request for a status conference must articulate the reasons for the necessity of the conference. **Scheduling:** If the Court agrees that a status conference is required, the moving party may schedule the status conference by emailing the Judicial Assistant.
- **Pretrial Conferences for Small Claims Cases:**
 - Parties must submit a Notice if they are jointly waiving Pretrial Conference appearances. **The Court will set the case for a Bench Trial even if the Pretrial Conference is waived.**
 - If a party wishes to file a Motion for Continuance, the Motion and Order must be submitted to the Court no less than 3 days before the Pretrial Conference date.

Misc. Civil Procedures

- **Mediation Required:** Except in extraordinary circumstances, or where time does not allow it, mediation will be required before trial.
- Litigation by emailing chambers is not acceptable. All relief must be sought by motion or stipulation.
- **Professionalism:** Judge Lee expects high standards of professionalism and active cooperation. Attorneys are expected to respond to inquiries and communications from all parties and the Court expeditiously.
- **Pro Se/Unrepresented Parties:** Those who chose to represent themselves should be aware that at no time shall you unilaterally communicate with the Court or the Judicial Assistant regarding your case. Do not include the Judicial Assistant or the Court on communications with the opposing party/opposing attorney regarding the case unless it is

related to scheduling. The Court and Judicial Assistant cannot provide you with legal advice. If you have a legal question, you may consider consulting with an attorney of your choosing or contacting Jacksonville Area Legal Aid, Inc. or the Jacksonville Bar Association Lawyer Referral Program.

- **Eviction and Unlawful Detainer Non-Military Affidavits:** Division F **requires** the Servicemembers Civil Relief Act (SCRA) search form or another form of verified sworn statements to support the non-military affidavit claim.
- **Court Reporters/Interpreters:** Please note that any interpreters or court reporters needed for civil hearings must be provided by the party. The Court does not provide these resources for civil hearings.