

## Judicial Practices and Procedures (County Civil and Small Claims)

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### A. 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.g., 2024 CC 001234 SC – MOTION 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. If the Judicial Assistant is out of the office, emails and hearing requests will be handled in the order received upon the Judicial Assistant return. Please do not send multiple emails regarding the same subject matter.

## **B. 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 **THEALY@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. 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 five (5) business days before the hearing. Motions, pleadings and memoranda may be provided by e-mail as well as U.S. Mail or hand-delivery. However, 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.**

- **Order of Proceedings:** Matters will generally be heard in the order they appear on the docket.
- **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:** 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. DO NOT assume the hearing is automatically removed from the Court calendar. A Notice of Cancellation that has been efiled with the Clerk is not sufficient notice of a cancellation. Cancellation of a hearing **MUST** be confirmed with and by the Judicial Assistant. Unless the matters at issue in the hearing have been resolved by the parties, the Court **DOES NOT** permit the unilateral cancellation of hearing without court approval.

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

#### **D. Submission of Orders and Judgments**

- **Format:** All proposed orders must be submitted in Word format. All proposed orders must be accompanied by a cover letter either (1) certifying that all parties agree to the order or (2) containing a statement identifying any disagreement of the parties as to the proposed order. All consent Orders shall include the word “Consent” or “Agreed” in the caption of the proposed Order.
- **Submission Method:** Proposed orders must be submitted to the Court via e-portal.
- **Deadline for Submissions:** Proposed orders must be submitted within ten (10) days after any hearing unless modified by the Court.

#### **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 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 five (5) 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**

- **Submission Method:** Submit all exhibits electronically by e-mail to the division e-mail account.
- **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 five (5) days before the evidentiary proceeding.

## **H. Pretrial Procedures and Conferences**

- **Case Management Conference:** The Court will schedule a Case Management Conference after the case is at issue. Parties should be prepared to discuss scheduling of hearing, Mediation, Discovery cut off and trial dates.
- **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 at **THEALY@coj.net**

## **I. Setting Case for Trial**

- **Procedure:** Setting cases for trial will occur at the scheduled Case Management Conference.
  - **If the case settles, the parties shall immediately notify the Court, in writing, so that it may be removed from the trial calendar.**
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## **J. 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](http://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](mailto: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](mailto:crtintrp@coj.net) or by telephone at (904)255-1010. Please visit [Jud4.org - Request for Interpreters](http://Jud4.org - Request for Interpreters) for more information.