

Judicial Practices and Procedures – Felony Division CR-A
Courtroom 505
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Contact Information

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A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by email to the Court’s Judicial Assistant at: dradtke1@coj.net. The subject line must contain the case number, case name, and the relevant matter to be addressed.
- **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. Accordingly, all parties must be copied on any email directed to the judicial office, unless an ex parte communication is otherwise specifically authorized by law.

- **Unsolicited Communications:** Unsolicited communications from nonparties will not be considered by the court. Parties may only contact the judicial office in accordance with these practices and procedures.
- **Response to Inquiries:** The Court's Judicial Assistant is not authorized to provide legal advice. If the Court's Judicial Assistant is out of the office, you will receive an automated response to your email directing you on how to proceed in her absence. Responses to emails will be given in the order in which the emails are received.

B. Courtroom Procedures and Scheduling

- **Court Schedule:** The Court uses a traditional criminal court calendar cycle, which includes weekly: arraignments, pretrial conferences, hearings, final pretrial conferences, and jury trials. Court calendar begins at **9 a.m.** unless otherwise noted herein. On calendar days when a trial is also scheduled, the Court will begin the calendar at **8:30 a.m.**
- Any **waivers of appearance of the defendant** shall be in writing and filed with the clerk.
- 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.
- **Jury Selections and Trial:** Jury Selections are scheduled for Monday mornings. Counsel selecting a jury should be prepared to begin jury selection by **10:00 a.m.** unless otherwise advised by the Court. Counsel should arrive at least 10 minutes prior to any jury selection or trial start time.
- When the Court is selecting multiple juries from the same panel, all parties must be present for the entire jury selection, unless otherwise excused by the Court. Generally, the panel for the trial scheduled for the earliest in the week will be selected first.
- On Mondays, if the Court is selecting a jury, the Court will begin its normal calendar at **8:30 a.m.** Likewise, the Court will begin its normal calendar at **8:30 a.m.** on any other day of the week that the jury trial is scheduled to be heard. The Court will commence trials after the completion of the morning calendar. Generally, by **10:00 a.m.**
- **Arraignments** are only scheduled on Tuesdays and Wednesdays. At Arraignment, the State shall be prepared to advise the Court of the following:
 - a) the Defendant's sentencing guidelines;
 - b) the State offer, if one is to be made;
 - c) the speedy trial date; and

- d) whether discovery has already been provided, and if not, the reason why it has not already been provided.
- **Pretrial Conferences** may potentially be scheduled on any day of the week, Monday through Friday.
- **Side Bar Conferences** during the morning calendar are highly discouraged. If counsel needs to speak with the Court at sidebar regarding a procedural or sensitive matter, the Court will be available between **8:30 a.m.** and **8:50 a.m.** in courtroom 505 to meet with **both** counsel for the state and defense on any day a normal calendar is held.
- **Setting Cases for Trial:** The Court will schedule cases for trial at any pretrial conference. Please be advised that transport orders for defendants or witnesses must be provided in a timely manner. Transport/Extradition orders require **at least 10 business days** to transport an incarcerated person from another facility or jurisdiction.
- **Final Pretrial Conferences** are scheduled for Tuesdays, the week prior to the Monday jury selection date. At the Final Pretrial Conference, the Defendant shall be present (there shall be no waiver of Defendant's appearance at the FPT), as well as the attorney(s) who are to try the case. Counsel for each party shall be prepared to report on the following:
 - a) whether each party is ready for trial;
 - b) any state offers made, and rejected by the Defendant;
 - b) any defense counteroffers made, and rejected by the State;
 - c) the number of jury panelists needed for jury selection;
 - d) the number of peremptory strikes allotted to each side;
 - e) the estimated length of the total trial;
 - f) any date/time restrictions in scheduling due to witnesses or attorneys;
 - g) whether an interpreter or any other accommodation will be necessary; and
 - h) whether there are any outstanding motions, late disclosed witnesses, or evidence requiring a *Richardson* hearing.
- **Motions to Continue:** Motions to continue must be in writing and filed with the clerk of court prior to the Final Pretrial Conference. The motion must state that counsel has conferred with opposing counsel and include opposing counsel's position on the motion. The motion must comply with Florida Rule of Criminal Procedure 3.190(f). Please be aware that absent a showing and finding of good cause, continuances will not be granted.

- **Motion and Sentencing Hearings** are set on Thursdays, for the purpose of scheduling the actual hearing on a date and time certain, the following week. For hearings expected to last less than 15 minutes or longer than four hours, the Court may schedule those hearings through the Judicial Assistant. Before attempting to schedule a hearing, the moving party must make a good-faith effort to resolve the issue with the opposing party.
- If counsel files a **substantive motion requiring an evidentiary hearing** or argument during the pendency of the case, including motions to suppress, motions to dismiss, stand your ground motions, or any other similar substantive motion, counsel shall send a courtesy copy to the Court's Judicial Assistant within three business days of filing the motion with the clerk of court. The Court will assume that any motion filed during the pendency of the case is ready for hearing at the time it is filed.
- At least two business days prior to any hearing that will involve argument, counsel for the parties shall email to the Court's Judicial Assistant any case law or other legal authority the party will rely upon at the hearing. The Court will review all materials in advance of the hearing. If there is a large amount of material you would like the Court to review (including mitigation materials) in advance of the hearing, please consider that the Court may need more than two business days to review.

C. Requests for the Judicial Assistant to Add or Remove Cases from the Calendar

- The Court generally discourages attorneys from seeking to add or remove previously scheduled court dates through the Judicial Assistant. However, if an attorney wishes to add, remove, or reschedule a case to another date, that attorney shall first consult with opposing counsel about the same. If agreed to by both parties, the parties shall then notify the Court's Judicial Assistant via email.
- **Preferred Method:** The preferred method for adding or removing a case from the calendar is to submit the request to the Judicial Assistant **at least two business days** in advance of the scheduled court date.
- **Exigent Requests:** Any request to add or remove a case **less than 24 hours** before the scheduled court date should only be requested when exigent circumstances exist to support the request. The purpose of this procedure is to prevent disruption to the judicial process, which is caused by the undue strain placed on the Jacksonville Sheriff's Office and the Duval County Clerk's Office in their efforts to comply with these requests.
- **ANY EXIGENT REQUEST WILL BE DENIED UNLESS IT IS SUBMITTED TO THE JUDICIAL ASSISTANT NO LATER THAN 2 P.M. BEFORE THE NEXT DAY'S SCHEDULED COURT DATE.**

D. Remote Appearance

- **Remote Appearance Procedure:** All hearings are held in person in Courtroom 505. With appropriate notice, the Court will allow appearances via Zoom pursuant to Florida Rules of Criminal Procedure 3.116. Prior authorization by the Court is required for all Zoom appearances.
- **Platform Used:** The Court uses Zoom for remote appearances.
- **Platform Meeting ID#:** You must contact the Judicial Assistant to obtain the platform meeting ID#.”
- **Requirements:** While attending remote proceedings you must be in appropriate attire. You must be in a quiet area without distractions. You must not appear in a moving vehicle. Make certain your device is mute. Do not speak until your case is called.
- **Technology Needs:** When Zoom is needed for a witness, please specify if the witness is testifying or observing.

E. Submission of Orders and Judgments

- **Format:** All proposed orders must be submitted in Word format by email to the Court’s Judicial Assistant at dradtke1@coj.net. The email must indicate whether all parties agree as to the form of the order.
- **JAC Proposed Orders:** When counsel is submitting a proposed order related to a motion to which JAC has no objection, counsel **shall attach JAC’s response to their proposed order, labeled as “Exhibit A”**.
- **Deadline for Submissions:** Proposed orders must be submitted within 5 days after any hearing.

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) the 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 must make themselves available for the emergency hearing, barring exigent circumstances.

G. Exhibits for Evidentiary Proceedings

- **Submission Method:** All exhibits for evidentiary hearings or trial must be provided to the clerk in advance of the hearing or trial for marking. Marked exhibits will be assigned a letter for identification and will receive a numerical designation if admitted as evidence.

H. Felony Forms

- Felony related forms can be found on the Fourth Judicial Circuit Courts of Florida website at the following location: [Jud4.org - Felony Plea Forms](#)

K. Other Division Procedures

- **ADA Accommodations:** Detailed information regarding accommodations for access to the courthouse, activities, and programs can be found on the Fourth Judicial Circuit Courts of Florida website at the following location: [Jud4.org - Americans with Disabilities Act \(ADA\)](#)



REQUESTS FOR ACCOMMODATIONS BY PERSONS WITH DISABILITIES: If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator at (904) 255-1695 or crtintrap@coj.net, at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice-impaired, call 711.

- **Interpreter Requests:** The Fourth Judicial Circuit is committed to providing qualified interpreters to limited-English-proficient and deaf persons in order to eliminate communication barriers that may prevent full participation in court proceedings necessary to ensure due process and equal access to the courts.
- Additional information regarding interpreter services can be found on the Fourth Judicial Circuit Courts of Florida website at the following location: [Jud4.org - Foreign Language Interpreter Program](#)
- It is the Defense Counsel's obligation to arrange for Interpreter Services needed for all court proceedings.
- **Recommendations:** If you have a recommendation as to amending or revising these procedures, you may email the Court's Judicial Assistant at DRadtke1@coj.net. Thank you for your courtesy and cooperation.