

Judge Lester B. Bass
Division C
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Judicial Practices and Procedures
**(except as noted in bold below, these practices and procedures apply to
all Fourth Circuit Family Law Divisions)**

A. Communications with the Judicial Office

- **Method of Communication:** All communications to the judicial office must be submitted by e-mail to acollie@coj.net. The subject line of the email must contain the case number, case name, and relevant matter (e.g., 2024 DR 001234 – Doe v. Doe - 2-Hour Hearing Requested). All parties must be copied on any e-mail directed to the judicial office, unless an ex parte communication is authorized by law.
- **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.
- **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.
- **Out of the Office Notification:** If the Judicial Assistant is out of the office for more than a day, an automatic reply will be sent to all received emails providing further instruction for the emailed request.

B. Scheduling Procedures

- **Court Schedule:** Ex Parte dates, the trial set memo, and available trial dates are posted on the Judge's webpage at <https://www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges>.
- **Ex Parte Hearings:** Include only uncontested dissolution cases, motions to set for trial, motions to withdraw, and scheduling hearings lasting more than one hour. Ex Parte proceedings are scheduled with the Judicial Assistant for a date and time certain. Ex Parte proceedings are held between 9:00 – 10:00 a.m., unless otherwise specified, on specified dates every month as posted on the updated Ex Parte schedule. The Ex Parte schedule is posted at <https://www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges>. Prior to a final hearing in an uncontested dissolution of marriage case, one party must provide the following: (1) a completed checklist for entry of the Consent Final Judgment, (2) proper proof of Florida residency, and (3) a copy of the signed Consent Final Judgment. A copy of the checklist can be found at <https://www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges>.
- **Scheduling Hearings:** Hearings will only be set on motions already filed with the Clerk. All hearings must be coordinated with opposing counsel or opposing party if unrepresented. The party requesting a hearing on any pending motion shall contact the Judicial Assistant with all other parties on the line or by email at acollie@coj.net. The dates and times provided by the Judicial Assistant for hearings are not held open, and therefore may be used for other cases. All counsel and self-represented parties should promptly respond to the moving party's attorney 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.
- **Setting Hearings Less Than One Hour in Duration:** Hearings lasting one hour or less may be set by contacting the Judicial Assistant. Please copy the opposing side on the email and include the case number, the title of the motion to be heard, and the amount of time needed for the hearing.
- **Case Management Conferences:** Any party may request a case management conference (CMC), as allowed by Family Law Rule of Procedure 12.200. Any request for a CMC must articulate the reason(s) for the CMC. If the Court agrees that a CMC is appropriate, the moving party may schedule the CMC by emailing the Judicial Assistant.
- **Default Final Hearings:** Default Final Hearings must be coordinated with the 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 an affidavit of diligent search prior to the hearing. The opposing side must be noticed for all default final hearings.
- **Service by Publication:** Cases wherein the Respondent has been served by

publication must include an affidavit of diligent search, pursuant to Family Law Form 12.913(b) (for dissolution cases) or 12.913(c) (for paternity cases) with proof of searches.

- **Temporary Needs Hearing Information:** All temporary issues wherein both parties are represented by counsel are to be set before the Circuit Judge. All temporary issues wherein at least one party is pro se are to be set before the General Magistrate. You may contact the court's Judicial Assistant at acollie@coj.net to schedule temporary needs and/or post judgment hearing before the Magistrate if a party is represented by counsel. If both parties are pro se they may contact the Family Court Services Case Manager, Michele Johnson at emjohnson@coj.net to schedule.
- **Duty to Meet and Confer:** Parties shall meet and confer prior to the filing of motions. In the event that a motion is required, the party filing the motions shall indicate that the parties met and conferred, and no resolution was reached or that the other party was unable to be contacted after due diligence.
- **Motions for Contempt:** All motions seeking to hold an opposing party in contempt of Court shall be held in person. Pursuant to Rule 12.615(b), the notice must contain the following 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 UP TO 48 HOURS BEFORE A HEARING IS HELD."
- **Motions to Compel:** Before filing a Motion to Compel pursuant to Rule 1.380 or Rule 12.380, the moving party must fully comply with First Administrative Order 88-2.
- **Adoption:** The Court does not hear adoptions matters during ex parte. Adoption hearings must be coordinated with the Judicial Assistant. It is not necessary that children attend the final hearing, but they are welcome to attend, as are other family members.
- **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 link.
- . 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 (printed or otherwise) for a hearing no later than three (3) business days before the hearing.
- **Order of Proceedings:** Unless otherwise specified by the Court, matters will 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. Cancellation of a hearing MUST be confirmed with and by the Judicial Assistant.

C. Setting Case for Trial

- **Procedure:** Motions to set for trial and motions to set hearings for more than one hour shall be set with the Court during ex parte hours. Jointly the attorneys must: (1) coordinate a date and time certain with the Judicial Assistant for the ex parte hearing, (2) serve the Notice of Ex Parte Hearing on all parties (out-of-town attorneys may appear by zoom by requesting to do so), and (3) complete and submit to the Judicial Assistant the Trial Set Memorandum Form found on the web at <https://www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges>. The Trial Set Memoranda, along with available trial dates, are posted on the Judge's webpage. The parties shall complete the form, and submit it as an e-mail attachment to the Judicial Assistant at least 24 hours prior to the ex-parte hearing. The Court will then prepare and e-file the Trial Order. If the case is settled, the parties shall immediately notify the Court, in writing, so that it may be removed from the trial calendar.

- D. Motions for Rehearing:** Motions for rehearing and/or reconsideration must be filed with the Clerk and a copy e-served to the Judge's Assistant. The Judge will review the motion and either issue an order or the Judicial Assistant will schedule a hearing.

E. 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.
- **Requirements:** Counsel must submit a request for remote appearance to the Court no later than five (5) days prior to the hearing.
- **Technology Needs:** The Court allows parties to use technology in trial and hearing presentations. Counsels are 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.

F. Submission of Orders and Judgments (“Order(s)”)

- **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.
- 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.
- 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.
- **Submission Method:** Proposed Orders must be submitted to the Judicial Assistant via e-mail with copies to all parties.
- **Deadline for Submissions:** Unless otherwise provided by the Court, all proposed Orders must be submitted within five (5) business days after any hearing.
- **Other Procedures Relating to Submission of Orders and Judgments:** The cover letter to be used and sent to opposing party or attorney is provided on the web at www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges under Letters for Attorneys Submitting Orders. If counsel for the parties are unable to agree, then both counsel may submit their proposed Order to the Court.

G. Courtesy Copies of Case Law and Other Documents

- **Format:** PDF or Word document.
- **Submission Method:** Courtesy copies shall be submitted via electronic submission. If voluminous, parties must place courtesy copies on a thumb drive and deliver it to the Court with permission for the Court to destroy as these copies have been filed with the Clerk.
- **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.

H. 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 by the Court. All parties shall make themselves available for the emergency hearing, barring exigent circumstances.
- **Other Procedures Relating to Emergency and Other Urgent Matters:** 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. All such motions must be verified/sworn by the movant & signed by counsel, if applicable. Emergency motions should be emailed to the Judicial Assistant or delivered to the Judge's chambers for review. There shall be no ex parte communication outside the motion concerning this request. After the Judge has reviewed the motion, the Judicial Assistant will contact the moving party regarding the Judge's decision. Should the Judge be out of the office, please follow local rules of procedure by contacting the next division in alphabetical order.

I. Exhibits for Evidentiary Proceedings

- **Submission Method:** Any submissions 25 pages or less should be submitted via email for hearings being conducted via Zoom. Any submissions exceeding 25 pages should be hand-delivered to the Court. All exhibits must be provided to the Court at least three (3) business days before the hearing/trial.
- **Format:** Documentary exhibits must be submitted to the Clerk of the Court in paper format. Recordings must be submitted via a thumb drive. All attorneys and self-represented litigants must provide sufficient copies of each exhibit for the clerk, the Court, and each party to review during the hearing or trial. All exhibits must be tabbed, Bates stamped, and pre-marked in the following format:

Case No. 2020-DR-123456 FMXX
Petitioner/Respondent's Exhibit No. A
Admitted as Exhibit _____
Date admitted 10/1/2020

- **Deadline for Submissions:** All exhibits must be received in chambers and provided to the opposing party at least 48 hours before the evidentiary proceeding.

J. Forms

- **Access:** Division forms are available at <https://www.jud4.org/ex-parte-dates-judge-s-procedures/nassau-judges>
- **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 contact the ADA Coordinator at (904) 548-4611 (or 711 Florida Relay Service); or MMWatson@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, crtinrp@coj.net or by telephone at (904)255-1010. Please visit Jud4.org - Request for Interpreters for more information.
- **Recommendation:** If you have a recommendation as to amending or revising this policy or practice, you may email the Court's Judicial Assistant. Thank you for courtesies and cooperation.